FEDERAL REGISTER

VOLUME 13 NUMBER 7

Washington, Saturday, January 10, 1948

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 9920

EXTENSION OF TRUST PERIODS ON INDIAN LANDS EXPIRING DURING THE CALENDAR YEAR 1948

By virtue of and pursuant to the authority vested in me by section 5 of the act of February 8, 1887, 24 Stat. 388, 389, by the act of June 21, 1906, 34 Stat. 325, 326, and by the act of March 2, 1917, 39 Stat. 969, 976, and other applicable provisions of law, it is hereby ordered that the periods of trust or other restrictions against alienation contained in any patent applying to Indian lands, whether of a tribal or individual status, which, unless extended, will expire during the calendar year 1948, be, and they are hereby, extended for a further period of twenty-five years from the date on which any such trust would otherwise expire.

This order is not intended to apply to any case in which Congress has specifically reserved to itself authority to extend the period of trust on tribal or individual Indian lands.

This order shall become effective as of January 1, 1948.

HARRY S. TRUMAN

THE WHITE HOUSE,
January 8, 1948.

[F. R. Doc. 48-344; Filed, Jan. 8, 1948; 4:23 p. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

LISTS OF POSITIONS EXCEPTED; NAVY DEPARTMENT

Under authority of § 6.1 (a) of Executive Order 9830 and at the request of the Navy Department, the Commission has determined that the positions of professors, instructors, and teachers at the United States Naval Postgraduate School should be excepted from the competitive service. Effective upon publication in the FEDERAL REGISTER, § 6.4 (a) (5) (ii) is therefore amended to read as follows:

§ 6.4 *Lists of positions excepted from the competitive service*—(a) *Schedule A.* • • •

(5) *Navy Department.* • • •

(ii) Professors, instructors, and teachers in the United States Naval Academy and in the United States Naval Postgraduate School.

(Sec. 6.1 (a) E. O. 9830 (Feb. 24, 1947), 12 F. R. 1259)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 48-277; Filed, Jan. 9, 1948; 8:53 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

[Tangerine Reg. 69]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.373 *Tangerine Regulation 69*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR, 1946 Supp., Part 933, 12 F. R. 7383) regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, issued under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such in parentheses.

CODIFICATION GUIDE—Con.

information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., January 12, 1948, and ending at 12:01 a. m., e. s. t., January 26, 1948, no handler shall ship:

(i) Any tangerines, grown in Regulation Area I, which grade U. S. No. 2, U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade (as such grades are defined in the United States Standards for Tangerines; as amended (12 F R. 2619))

(ii) Any container of tangerines, grown in Regulation Area I, which grade U. S. Combination Grade (as such grade is defined in the aforesaid amended United States Standards) unless at least sixty percent (60%) by count, of the total quantity of tangerines in such container meets the requirements of U. S. No. 1 grade (as such grade is defined in the aforesaid amended United States Standards) and each of the remainder of the tangerines meets all other requirements of the aforesaid U. S. Combination Grade;

(iii) Any tangerines, grown in Regulation Area II, which grade U. S. No. 2, U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade (as such grades are defined in the aforesaid amended United States Standards) *Provided,* That any such tangerines that grade U. S. No. 2, as aforesaid, may be shipped only if such tangerines are fairly uniform in color; or

(iv) Any tangerines, grown in the State of Florida, which are of a size smaller than the size that will pack 210 tangerines, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States Standards) in a half-standard box (inside dimensions 9½ x 9½ x 19⅛ inches; capacity 1,726 cubic inches)

(2) As used in this section, "handler," "ship," "Regulation Area I," and "Regulation Area II" shall have the same meaning as is given to each such term in said amended marketing agreement and order, and the term "fairly uniform in color" shall have the same meaning as when used in the U. S. Combination Grade as such grade is defined in the aforesaid amended United States Standards. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 8th day of January 1948.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 48-352; Filed, Jan. 9, 1948; 9:20 a. m.]

[Orange Reg. 133]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.371 *Orange Regulation 133*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR, 1946 Supp., Part 933, 12 F. R. 7383), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order* (1) During the period beginning at 12:01 a. m., e. s. t., January 12, 1948, and ending at 12:01 a. m., e. s. t., January 26, 1948, no handler shall ship:

(i) Any oranges, except Temple oranges, grown in Regulation Area I which grade U. S. No. 2 Bright, U. S. No. 2, U. S. Combination Russet, U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade (as such grades are defined in the United States Standards for citrus fruits, as amended (12 F. R. 6277),

(ii) Any oranges, except Temple oranges, grown in Regulation Area II which grade U. S. Combination Russet, U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade (as such grades are defined in the aforesaid amended United States Standards),

(iii) Any oranges, except Temple oranges, grown in the State of Florida which are of a size smaller than a size that will pack 288 oranges, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States Standards) in a standard box (as such box is defined in the standards for containers for citrus fruit established by the Florida Citrus Commission pursuant to section 3 of chapter 20449, Laws of Florida, Acts of 1941 (Florida Laws Annotated, sec. 595.09)) or

(iv) Any Temple oranges, grown in the State of Florida, which grade U. S. Combination Russet, U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade (as such grades are defined in the aforesaid amended United States Standards)

(2) As used in this section, the terms "handler," "ship," "Regulation Area I," and "Regulation Area II" shall have the same meaning as is given to each such term in said amended marketing agreement and order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 8th day of January 1948.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 48-353; Filed, Jan. 9, 1948; 9:20 a. m.]

[Grapefruit Reg. 95]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.372 *Grapefruit Regulation 95*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR, 1946 Supp., Part 933, 12 F. R. 7383) regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the cir-

cumstances, for preparation for such effective date.

(b) *Order* (1) During the period beginning at 12:01 a. m., e. s. t., January 12, 1948, and ending at 12:01 a. m., e. s. t., January 26, 1948, no handler shall ship:

(i) Any grapefruit of any variety, grown in the State of Florida, which grade U. S. No. 3, or lower than U. S. No. 3 grade (as such grades are defined in the United States Standards for citrus fruits, as amended (12 F. R. 6277))

(ii) Any seeded grapefruit, other than pink grapefruit, grown in the State of Florida which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States Standards) in a standard box (as such box is defined in the standards for containers for citrus fruit established by the Florida Citrus Commission pursuant to section 3 of Chapter 20449, Laws of Florida, Acts of 1941 (Florida Laws Annotated, sec. 595.09))

(iii) Any seedless grapefruit, other than pink grapefruit, grown in the State of Florida which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States Standards) in a standard box (as such box is defined in the aforesaid standards for containers for citrus fruit), or

(iv) Any pink grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 126 grapefruit, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States Standards) in a standard box (as such box is defined in the aforesaid standards for containers for citrus fruit)

(2) As used in this section, "variety," "handler," and "ship" shall have the same meaning as is given to each such term in said amended marketing agreement and order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 8th day of January 1948.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 48-354; Filed, Jan. 9, 1948; 9:20 a. m.]

[Lemon Reg. 255, Amdt. 1]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION ON SHIPMENTS

a. *Findings.* (1) Pursuant to the marketing agreement and Order No. 53 (7 CFR, Cum. Supp., 953.1 et seq.) regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule making procedure requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this amended regulation is based became available and the time when this amended regulation must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

b. *Order as amended.* The provisions in paragraph (b) (1) of § 953.362 (Lemon Regulation 255, 13 F. R. 27), are hereby amended to read as follows:

(1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., January 4, 1948, and ending at 12:01 a. m., P. s. t., January 11, 1948, is hereby fixed at 250 carloads, or an equivalent quantity.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 8th day of January 1948.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 48-358; Filed, Jan. 9, 1948; 9:21 a. m.]

[Lemon Reg. 256]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.363 *Lemon Regulation 256*—(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 53 (7 CFR, Cum. Supp., 953.1 et seq.) regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., January 11, 1948, and ending at 12:01 a. m., P. s. t., January 18, 1948, is hereby fixed at 225 carloads, or an equivalent quantity.

(2) The prorate base of each handler who has made application therefor, as provided in the said marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation 255 (13 F. R. 27) and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said marketing agreement and order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 8th day of January 1948.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 48-357; Filed, Jan. 9, 1948; 9:21 a. m.]

[Orange Reg. 211, Amdt. 1]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

a. *Findings.* (1) Pursuant to the provisions of Order No. 66 (7 CFR, Cum. Supp., 966.1 et seq.) regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule making procedure requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this amended regulation is based became available and the time when this amended regulation

must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

b. *Order as amended.* The provisions in paragraph (b) (1) (ii) of § 966.357 (Orange Regulation 211, 13 F. R. 29) are hereby amended to read as follows:

(ii) *Oranges other than Valencia oranges.* (*a*) Prorate District No. 1, 750 carloads; (*b*) Prorate District No. 2, 475 carloads; and (*c*) Prorate District No. 3, 50 carloads.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 8th day of January 1948.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 48-356; Filed, Jan. 9, 1948; 9:21 a. m.]

[Orange Reg. 212]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.358 *Orange Regulaton 212*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66 (7 CFR, Cum. Supp., 966.1 et seq.) regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., January 11, 1948, and ending at 12:01 a. m., P. s. t., January 18, 1948, is hereby fixed as follows:

(i) *Valencia oranges.* Prorate Districts Nos. 1, 2 and 3, no movement.

(ii) *Oranges other than Valencia oranges.* (*a*) Prorate District No. 1, 550 carloads; (*b*) Prorate District No. 2, 550 carloads; and (*c*) Prorate District No. 3, unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said order; and "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as is given to each such term in § 966.107 of the rules and regulations (11 F. R. 10258) issued pursuant to said order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 8th day of January 1948.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 a. m. January 11, 1948, to 12:01 a. m. January 18, 1948]

ALL ORANGES OTHER THAN VALENCIA ORANGES

Prorate District No. 1

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Lindsay	2.5509
A. F. G. Porterville	2.1727
A. F. G. Sides	.7221
Ivanhoe Cooperative	.5110
Dofflemyer, W. Todd & Son	.5029
Elderwood Citrus Association	.8710
Exeter Citrus Association	2.8094
Exeter Orange Growers Association	1.2379
Exeter Orchards Association	1.3410
Hillside Packing Association, The	1.5061
Ivanhoe Mutual Orange Association	.9857
Klink Citrus Association	4.1239
Lemon Cove Association	1.5221
Lindsay Citrus Growers Association	2.4636
Lindsay Cooperative Citrus Association	1.3208
Lindsay District Orange Company	1.5367
Lindsay Fruit Association	1.9935
Lindsay Orange Growers Association	1.1603
Naranjo Packing House Company	.8496
Orange Cove Citrus Association	3.2130
Orange Cove Orange Growers Association	2.4558
Orange Packing Co	1.3003
Orost Foothill Citrus Association	1.3569
Paloma Citrus Fruit Association	.9365
Pogue Packing House, J. E	.6269
Rocky Hill Citrus Association	1.5001
Sanger Citrus Association	2.8863
Sequoia Citrus Association	.9603
Stark Packing Corp	2.2811
Visalia Citrus Association	.9213
Waddell & Son	2.2418
Butte County Citrus Association, Inc	.5678
Mills-Orchard Co., James	.4310
Orland Orange Growers Association, Inc	.5420
Andrews Edison Groves	4000
Baird-Neece Corp	1.7889
Beattie Association, Agnes M	4892
Grand View Heights Citrus Association	2.3162
Magnolia Citrus Association, The	2.2010

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 1—Continued

Handler	Prorate base (percent)
Porterville Citrus Association, The	1.3343
Richgrove-Jasmine Citrus Association	1.4856
Sandilands Fruit Co	1.2483
Strathmore Cooperative Association	1.8451
Strathmore District Orange Association	1.7872
Strathmore Fruit Growers Association	1.2042
Strathmore Packing House Co	1.9086
Sunflower Packing Association	2.2672
Sunland Packing House Co	2.2010
Terra Bella Citrus Association	1.4242
Tule River Citrus Association	1.1261
Vandalia Packing Association	.8143
Kroelis Bros., Ltd	1.3633
Lindsay Mutual Groves	1.7547
Martin Ranch	1.0574
Woodlake Packing House	1.7747
Anderson Packing Co., R. M	.9705
Baker Brothers	.0000
Calif. Citrus Groves, Inc., Ltd	1.9529
Caswell, John	.0137
Chess Company, Meyer W	.1563
Edison Groves Co	.6334
Evans Brothers Packing Co	.9263
Exeter Groves Packing Co	.8460
Furr, N. C	.2079
Ghianda Ranch Association	.0180
Harding & Leggett	1.5827
Justman-Frankenthal Co	.1347
Lo Bue Bros	1.0031
Marks, W. & M	.4429
Paramount Citrus Association	.1551
Raymond Bros	.1186
R. M. C. Porterville	2.1689
Reimers, Don. H	.2096
Rooke Packing Co., B. G	1.3214
Toy, Chin	.0274
Webb Packing Co	7686
Wollenman Packing Co	.8365
Woodlake Heights Packing Corp	.4485
Zaninovich Bros	.4556

Prorate District No. 2

Total	100.0000
A. F. G. Alta Loma	.1433
A. F. G. Corona	.4065
A. F. G. Fullerton	.0535
A. F. G. Orange	.0528
A. F. G. Riverside	.5749
Hazeltine Packing Co	.1057
Placentia Pioneer Valley Growers Association	.0631
Signal Fruit Association	1.0444
Azusa Citrus Association	.9639
Azusa Orange Co	.1263
Damerel-Allison Co	1.1133
Glendora Mutual Orange Association	.5170
Irwindale Citrus Association	.3514
Puente Mutual Citrus Association	.0574
Valencia Heights Orchard Association	.2347
Covina Citrus Association	1.4057
Covina Orange Growers Association	.5223
Duarte-Monrovia Fruit Exchange	.4675
Glendora Citrus Association	.5773
Glendora Heights Orange & Lemon Growers Association	.1504
Gold Buckle Association	3.4106
La Verne Orange Association	4.2999
Anaheim Citrus Fruit Association	.0759
Anaheim Valencia Orange Association	.0127
Eadington Fruit Company, Incorporated	.2712
Fullerton Mutual Orange Association	.1874
La Habra Citrus Association	.1363

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Orange County Valencia Association	0.0269
Orangethorpe Citrus Association	.0244
Placentia Cooperative Orange Association	.0448
Yorba Linda Citrus Association, The	.0090
Alta Loma Heights Citrus Association	4087
Citrus Fruit Growers	.8193
Cucamonga Citrus Association	.6654
Etiwanda Citrus Fruit Association	.2278
Mountain View Fruit Association	.1607
Old Baldy Citrus Association	4358
Rialto Heights Orange Growers	4327
Upland Citrus Association	2.0584
Upland Heights Orange Association	1.0425
Consolidated Orange Growers	.0299
Frances Citrus Association	.0032
Garden Grove Citrus Association	.0294
Goldenwest Citrus Association, The	.1109
Olive Heights Citrus Association	.0390
Santa Ana-Tustin Mutual Citrus Association	.0207
Santiago Orange Growers Association	.1479
Tustin Hills Citrus Association	.0298
Villa Park Orchards Association, The	.0210
Bradford Brothers, Inc	.2380
Placentia Mutual Orange Association	.1859
Placentia Orange Growers Association	.1538
Call Ranch	.6778
Corona Citrus Association	.8398
Jameson Co	.3214
Orange Heights Orange Association	1.1208
Crafton Orange Growers Association	1.5432
E. Highlands Citrus Association	4994
Fontana Citrus Association	.5171
Highland Fruit Growers Association	.5914
Redlands Heights Groves	.9461
Redlands Orangedale Association	1.1312
Break & Son, Allen	.2210
Bryn Mawr Fruit Growers Association	1.1093
Krinard Packing Co	1.8417
Mission Citrus Association	7690
Redlands Cooperative Fruit Association	1.6414
Redlands Orange Growers Association	1.1147
Redlands Select Groves	4985
Rialto Citrus Association	.5519
Rialto Orange Co	.2850
Southern Citrus Association	.9833
United Citrus Growers	.6914
Zilen Citrus Co	.9479
Andrews Bros. of California	7243
Arlington Heights Citrus Co	.6746
Brown Estate, L. V. W	1.7166
Gavilan Citrus Association	1.5916
Hemet Mutual Groves	.3312
Highgrove Fruit Association	6014
McDermont Fruit Co	1.8342
Monte Vista Citrus Association	1.1709
National Orange Co	.8290
Riverside Heights Orange Growers Association	1.3565
Sierra Vista Packing Association	7296
Victoria Avenue Citrus Association	2.5818
Claremont Citrus Association	1.2850
College Heights Orange & Lemon Association	1.0775
El Camino Citrus Association	4960
Indian Hill Citrus Association	1.2442

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Pomona Fruit Growers Exchange	1.9557
Walnut Fruit Growers Exchange	.3894
West Ontario Citrus Association	1.5351
El Cajon Valley Citrus Association	.2724
Escondido Orange Association	.5231
San Dimas Orange Growers Association	.3382
Ball & Tweedy Association	.1419
Canoga Citrus Association	.0611
N. Whittier Heights Citrus Association	.1316
San Fernando Fruit Growers Association	.3195
San Fernando Heights Orange Association	.2884
Sierra Madre-Lamanda Citrus Association	.1743
Camarillo Citrus Association	0086
Fillmore Citrus Association	1.2713
Ojai Orange Association	.9673
Piru Citrus Association	1.1130
Santa Paula Orange Association	.1119
Tapo Citrus Association	.0062
E. Whittier Citrus Association	.0142
Whittier Citrus Association	.2486
Whittier Select Citrus Association	.0413
Anaheim Cooperative Orange Association	.0581
Bryn Mawr Mutual Orange Association	4987
Chula Vista Mutual Lemon Association	.1560
Escondido Cooperative Citrus Association	0994
Euclid Avenue Orange Association	2.0564
Foothill Citrus Union, Inc	.1056
Fullerton Cooperative Orange Association	.0452
Garden Grove Orange Cooperative, Inc	.0256
Glendora Cooperative Citrus Association	.0723
Golden Orange Groves, Inc	4711
Highland Mutual Groves, Inc	4165
Index Mutual Association	.0038
La Verne Cooperative Citrus Association	2.6103
Mentone Heights Association	.8908
Olive Hillside Groves	.0322
Orange Cooperative Citrus Association	.0411
Redlands Foothill Groves	2.0845
Redlands Mutual Orange Association	1.0334
Riverside Citrus Association	4303
Ventura County Orange and Lemon Association	.1900
Whittier Mutual Orange and Lemon Association	.0369
Babijuice Corp. of Calif	4424
Banks Fruit Co	.3039
California Fruit Distributors	.0549
Cherokee Citrus Co., Inc	1.2541
Chess Company, Meyer W	.3660
Evans Brothers Packing Co	.9848
Gold Banner Association	2.0213
Granada Packing House	7967
Hill, Fred A	7120
Inland Fruit Dealers	4332
Orange Belt Fruit Distributors	1.7251
Panno Fruit Co., Carlo	.1848
Placentia Orchards Co	.0722
San Antonio Orchard Co	1.3920
Snyder & Sons Co., W. A	.5967
Torn Ranch	.0579
Verity & Sons Co., R. H	.0823
Wall, E. T	1.4756
Western Fruit Growers, Inc., Redlands	3.1136
Yorba Orange Growers Association	.0531

[F. R. Doc. 48-355; Filed, Jan. 9, 1948; 9:21 a. m.]

TITLE 15—COMMERCE

Chapter II—National Bureau of Standards, Department of Commerce

PART 200—TEST FEE SCHEDULES

THERMOCOUPLES, THERMOCOUPLE MATERIALS, PYROMETER INDICATORS, OPTICAL PYROMETERS, AND RIBBON FILAMENT LAMPS

In accordance with the provisions of sections 4 (a) and (c) of the Administrative Procedure Act, it has been found that notice and hearing on these schedules of fees are unnecessary for the reason that such procedure would, because of the nature of these rules, serve no usful purpose.

These rules shall be effective upon the date of publication in the FEDERAL REGISTER.

Section 200.321 *Thermocouples and pyrometer indicators* (15 CFR, Part 200) is hereby amended by changing the number to 200.302, and to read as follows:

§ 200.302 *Thermocouples, thermocouple materials, and pyrometer indicators.*

Item	Description	Fee
302a	High temperature thermocouples and thermocouple materials. Minimum length 24 inches. Certification of corresponding values of temperature and emf of a thermocouple material against the platinum standard of the NBS or of temperature and emf of a thermocouple at 4 to 15 points within the range 0° to 1,450° C. (32° to 2,650° F.)	$30.00
	Certified accuracy of platinum to platinum rhodium thermocouples 0.5 degree in the range 0° to 1,100° C. and from 0.5° at 1,100° C. to 2 degrees at 1,450° C. Certified accuracy of basemetal thermocouples 0.5° to 1° C. depending upon the type of thermocouple and the highest temperature at which it is calibrated.	
302b	High temperature thermocouples and thermocouple materials. Certification as per Item 302a at less than 4 points, per point	5.00
	Minimum charge per thermocouple or material	10.00
302c	Standard platinum to platinum-rhodium thermocouples. Minimum length 24 inches. Certification of the emf of a thermocouple at any of the following thermometric fixed points, per point	20.00
	Freezing points of Zinc, Antimony, Silver and Gold. Accuracy of certification 2 microvolts (about 0.2° C).	
302d	Standard platinum to platinum-rhodium thermocouples. Minimum length 24 inches. Primary calibration at all of the fixed points listed in Item 302c and certification of not more than 15 corresponding values of emf and temperature to an accuracy of 0.3° in the range 0° to 1,100° C. and from 0.3° at 1,100° C. to 2° at 1,450° C. Accuracy of certification at fixed points 2 microvolts	75.00
302e	High temperature thermocouples and thermocouple materials. Certification of interpolated corresponding values of emf and temperature as per Items 302a, or 302d per point	.50
302f	Thermocouples. Minimum length 36 inches. Certification of corresponding values of emf and temperature to an accuracy of about 0.1° in the range −35° to 500° C. per point	6.00
	Minimum charge per thermocouple	10.00
302g	Thermocouples. Minimum length 30 inches. Certification of corresponding values of emf and temperature to an accuracy of about 0.1° in the range −70° to −35° C. per point	6.00
	Minimum charge per thermocouple	15.00
302h	Thermocouples. Minimum length 30 inches. Certification of corresponding values of emf and temperature to an accuracy of about 0.1° in the range −140° to −70° C. or in liquid air (−191° to −188° C.), per point	8.00
	Minimum charge per thermocouple	15.00
302i	Pyrometer Indicators. Calibration of single scale of meter or single dial of potentiometer (reference junction compensator counting as a dial)	5.00

Item	Description	Fee
302j	Pyrometer indicators. Calibration of each additional dial of a multidial instrument (reference junction compensator counting as a dial) or of each additional range of each dial or scale of a multirange instrument	$3.50
	Calibration of a thermocouple and pyrometer indicator as a unit will be charged for as if the thermocouple and indicator were separately calibrated.	
302x	Replacement of Bureau reports and certificates	1.00
302z	If a test not covered by any schedule item is undertaken, it will be subject to a special fee depending upon the nature and cost of the test.	

Thermocouples, thermocouple materials and pyrometer indicators submitted for calibration and test should be accompanied by an order requesting the test and specifying the Fee Schedule Item Number. If desired, the calibration points may be specified. A bill will be rendered at the completion of the work. It is preferable to send only the thermocouple wires in order to avoid the possible breakage of the insulating and protecting tubes.

The calibration or test of an article will not be undertaken if, in our opinion, the article will not yield the specified accuracy, or if it possesses such unusual characteristics as to prevent the carrying out of the calibration or test at a reasonable cost. If, in the course of a calibration or test, it is found that the article is inferior to its general class, a report will be issued giving the results obtained. In such cases, a fee covering the cost of the work performed, will be charged.

2. Section 200.322 *Optical pyrometers* (15 CFR, Part 200) is hereby amended to read as follows:

§ 200.322 *Optical pyrometers and ribbon filament lamps.*

Item	Description	Fee
322a	Optical pyrometers. Calibration of low range, 800° to 1,400° C., 15 or fewer certified values	$25.00
322b	Optical pyrometers. Additional ranges. 15 or fewer certified values in each range, per range	15.00
322g	Ribbon filament lamps. Certified values of current versus temperature at 20 or fewer points in the range 800° to 2,300° C	25.00
322h	Additional interpolated values as per Items 322a, 322b, or 322g per point	.50
322x	Replacement of Bureau reports and certificates	1.00
322z	If a test not covered by any schedule item is undertaken, it will be subject to a special fee depending upon the nature and the cost of the test.	

Optical pyrometers and ribbon filament lamps submitted for calibration and test should be accompanied by an order requesting the test and specifying the Fee Schedule Item Number. If desired, the calibration points may be specified. A bill will be rendered at the completion of the work.

Certified uncertainty of the above calibrations is usually 4 degrees at 800° C., decreasing to 3 degrees at 1063° C. and then increasing to 8 degrees at 2800° C.

The calibration or test of an article will not be undertaken if, in our opinion, the article will not yield the specified accuracy, or if it possesses such unusual characteristics as to prevent the carrying out of the calibration or test at a reasonable cost. If, in the course of a calibration or test, it is found that the article is inferior to its general class, a report will be issued giving the results obtained. In such cases, a fee covering the cost of the work performed, will be charged.

(Sec. 312, 47 Stat. 410; 15 U. S. C. 276)

[SEAL] E. U. CONDON,
Director,
National Bureau of Standards.

Approved:

WILLIAM C. FOSTER,
Acting Secretary of Commerce.

[F. R. Doc. 48-297; Filed, Jan. 9, 1948; 8:49 a. m.]

PART 200—TEST FEE SCHEDULES

REFEREE TESTS ON LUBRICANTS AND LIQUID FUELS; VISCOMETERS

In accordance with the provisions of sections 4 (a) and (c) of the Administrative Procedure Act, it has been found that notice and hearing on this schedule of fees are unnecessary for the reason that such procedure would, because of the nature of these rules, serve no useful purpose.

These rules shall be effective upon the date of publication in the FEDERAL REGISTER.

1. Section 200.388 *Referee tests on lubricants and liquid fuels* (15 CFR, Part 200) is hereby amended by changing the number to 200.348, and to read as follows:

§ 200.348 *Referee tests on lubricants and liquid fuels.*

Item	Description	Fee
348z	Tests by recognized standard methods for which suitable equipment is available.	(1)

[1] Fees will be based on estimates of the cost of testing in each individual case as occasion demands.

2. Section 200.386 *Viscometers* (15 CFR, Part 200) is hereby amended by changing the number to 200.346, and to read as follows:

§ 200.346 *Viscometers.*

Item	Description	Fee
346a	Standardization of Saybolt viscometer [1] provided with 1 outlet tube:	
	(1) Dimensional tests	$5.00
	(2) Flow tests	10.00
346b	Standardization of extra outlet tube [1] for Saybolt viscometers provided with 2 outlet tubes:	
	(1) Dimensional tests	2.50
	(2) Flow tests	10.00
346c	Calibration of ASTM modified Ostwald viscometer (Fenske routine type)	15.00
346d	Calibration of ASTM suspended level viscometer (Ubbelohde or FitzSimon type) except series 1 capillaries, per capillary	15.00
346e	Calibration of ASTM suspended level viscometer (Ubbelohde or FitzSimon type): Series 1 capillaries, per capillary	20.00
346x	Replacement of Bureau reports or certificates, each	1.00
346z	For special tests not covered by the above schedule, fees will be charged dependent upon the nature of the test.	

[1] Complete standardization of a Saybolt viscometer or an extra outlet tube requires both dimensional and flow tests. Flow tests are made only with instruments which meet the dimensional requirements. Reports on the dimensional tests alone, are made only on instruments which do not meet the dimensional requirements for standard instruments.

(Sec. 312, 47 Stat. 410; 15 U. S. C. 276)

[SEAL] E. U. CONDON,
Director,
National Bureau of Standards.

Approved:

WILLIAM C. FOSTER,
Acting Secretary of Commerce.

[F. R. Doc. 48-296; Filed, Jan. 9, 1948; 8:49 a. m.]

PART 200—TEST FEE SCHEDULES

ANEROID BAROMETERS, BAROGRAPHS, ALTIMETERS AND ALTIGRAPHS

In accordance with the provisions of sections 4 (a) and (c) of the Administrative Procedure Act, it has been found that notice and hearing on this schedule of fees are unnecessary for the reason that such procedure would, because of the nature of these rules, serve no useful purpose.

These rules shall be effective upon the date of publication in the FEDERAL REGISTER.

Section 200.632 *Aneroid barometers, barographs, altimeters and altigraphs* (15 CFR, Part 200) is hereby amended by changing the number to 200.622, and to read as follows:

§ 200.622 *Aneroid barometers, barographs, altimeters and altigraphs.*

Item	Description	Fee
	Aneroid barometers, barographs, altimeters and altigraphs:	
622a	Calibration test at room temperature (±20° C.) (includes hysteresis and after effect test):	
	First 5 test points	$5.00
	Each additional test point	.25
622b	Determination of flight duration and intermediate landing from barograph indications	15.00
622c	Item (a) including pressure-altitude determinations at specified points from barograph indications only	20.00
622d	Maximum altitude determination from air pressure and air temperature measurements, including all necessary calibration of instruments	160.00
622e	Maximum altitude determination from barograph indications only	25.00
622f	Maximum altitude determinations from a combination of indications of pressure-recording and other instruments, not including air temperature indications	50.00
622x	Copies of certificates or reports previously issued or release of worn or damaged certificates or reports returned, each	1.00
622z	For special tests not covered by the above schedule, fees will be charged dependent upon the nature of the test.	
	NOTE: A report or certificate is issued on the results of the tests. All fees are for one instrument. For 5 altimeters of the same range submitted at the same time, the fee for the lot will be 3 times the fee for a single instrument.	

(Sec. 312, 47 Stat. 410; 15 U. S. C. 276)

[SEAL] E. U. CONDON,
Director,
National Bureau of Standards.

Approved:

WILLIAM C. FOSTER,
Acting Secretary of Commerce.

[F. R. Doc. 48-293; Filed, Jan. 9, 1948; 8:49 a. m.]

Chapter V—Weather Bureau, Department of Commerce

PART 502—ORGANIZATION

FIELD STATIONS

Section 502.19 *Field stations* (11 F R. 177A-335-330; 12 F R. 5867) is amended as indicated below.

Region 1. Delete "Altoona, Pa."· "Augusta, Me."· "Bangor, Me."· "Millinocket, Me."; add "Roanoke, Va., Airport"; "Wilmington, Del."

Region 2: Delete "San Juan, P R."· add "Augusta, Ga., Airport"

Region 3: Delete "Effingham, Ill."· add "Covington, Ky."· "Ypsilanti, Mich."

Region 4. Change "Albuquerque, Tex." to "Albuquerque, N. Mex."

Region 5. Delete "Joplin, Mo."

Region 6: Delete "Buffalo Springs Calif."· add "Blue Canyon, Calif."· "Santa Catalina, Calif."

Region 7 Add "Port Angeles, Wash."

Region 8: Add "Fairbanks-Umiat, Alaska"; "Galena, Alaska"; "Wales, Alaska"· "Annette Island, Alaska"· delete "Ketchikan, Alaska"

European-North African Area: Delete "Airport, Tripoli, Tripolitania"· add "Nuremburg, Germany"

Caribbean-West Indian Area: Delete "Atkinson Field, Georgetown, British Guiana"· add "Ponce, P R."; "Benedict Field, St. Croix, V I."

North Atlantic Supervisory office: Delete "Airport, Sondrestromfjord, Greenland"

Southern and Western Pacific Area: Change "Isaka, Japan" to "Osaka, Japan"

(Sec. 3, 26 Stat. 653, sec. 803, 52 Stat. 1014, secs. 7, 8, 54 Stat. 1235, 1236, 60 Stat. 4, 128, 238, 944, 15 U. S. C. 311-313, 49 U. S. C. 603, 5 U. S. C. Sup. 1002; secs. 7, 8, Reorg. Plan IV 5 F R. 2421, E. O. 9709, Mar. 29, 1946, 11 F R. 3389, E. O. 9797, Nov. 6, 1946, 11 F R. 13295)

[SEAL] F. W REICHELDERFER, *Chief of Bureau.*

[F. R. Doc. 48-295; Filed, Jan. 9, 1948; 8:48 a. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs, Department of the Interior

APPENDIX—EXTENSION OF THE TRUST OR RESTRICTED STATUS OF CERTAIN INDIAN LANDS

EXTENSION OF TRUST PERIODS ON INDIAN LANDS EXPIRING DURING THE CALENDAR YEAR 1948

CROSS REFERENCE: For extension of trust periods on Indian lands expiring during the calendar year 1948, see Executive Order 9920, under Title 3, *supra.*

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 201—GENERAL REGULATIONS

LIGHTS AND DAY SIGNALS

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1) the general regulations contained in 33 CFR, Part 201, §§ 201.0 to 201.16, inclusive, are revoked, effective on and after March 1, 1948, and the following §§ 201.1 to 201.16, inclusive, are substituted therefor:

Sec.

AUTHORITY: §§ 201.1 to 201.16, inclusive, issued under 40 Stat. 266; 33 U. S. C. 1 [Regs. Dec. 24, 1947, 800.211-ENGWR]

§ 201.1 *Scope and applicability of regulations.* (a) The regulations contained in this part govern lights and day signals to be displayed by towing vessels with tows on which no signals can be displayed, vessels working on wrecks, dredges, and vessels engaged in laying cables or pipe or in submarine or bank protection operations, lights to be displayed on dredge pipe line, and day signals to be displayed by vessels or more than 65 feet in length moored or anchored in a fairway or channel (§§ 201.2 to 201.9, inclusive) and the passing by other vessels of floating plant working in navigable channels (§§ 201.10 to 201.16, inclusive)

(b) The regulations contained in this part are applicable on the Great Lakes and their connecting and tributary waters as far east as Montreal ("Great Lakes") and on the Red River of the North and rivers emptying into the Gulf of Mexico and their tributaries ("Western Rivers") Similar Coast Guard regulations, applicable on the harbors, rivers, and inland waters of the United States except the "Great Lakes" and the "Western Rivers," are contained in §§ 312.18 to 312.31a, inclusive, of this title, *infra.*

§ 201.2 *Signals to be displayed by a towing vessel when towing a submerged or partly submerged object upon a hawser when no signals can be displayed upon the object which is towed.* (a) The vessel having the submerged object in tow shall display by day, where they can best be seen, two shapes, one above the other, not less than six feet apart, the lower shape to be carried not less than 10 feet above the deck house. The shapes shall be in the form of a double frustrum of a cone, base to base, not less than two feet in diameter at the center nor less than eight inches at the ends of the cones, and to be not less than four feet lengthwise from end to end, the upper shape to be painted in alternate horizontal stripes of black and white, eight inches in width, and the lower shape to be painted a solid bright red.

(b) By night the towing vessel shall display the regular side lights, but in lieu of the regular white towing lights shall display four lights in a vertical position not less than three feet nor more than six feet apart, the upper and lower of such lights to be white, and the two middle lights to be red, all of such lights to be of the same character as the regular towing lights.

§ 201.3 *Steam vessels, derrick boats, lighters, or other types of vessels made fast alongside a wreck, or moored over a wreck which is on the bottom or partly submerged, or which may be drifting.* (a) Steam vessels, derrick boats, lighters, or other types of vessels made fast alongside a wreck, or moored over a wreck which is on the bottom or partly submerged, or which may be drifting, shall display by day two shapes of the same character and dimensions and displayed in the same manner as required by § 201.2 (a) except that both shapes shall be painted a solid bright red, but where more than one vessel is working under the above conditions, the shapes need be displayed only from one vessel on each side of the wreck from which they can best be seen from all directions.

(b) By night this situation shall be indicated by the display of a white light from the bow and stern of each outside vessel or lighter not less than six feet above the deck, and in addition thereto there shall be displayed in a position where they can best be seen from all directions two red lights carried in a vertical line not less than three feet nor more than six feet apart, and not less than 15 feet above the deck.

§ 201.4 *Dredges held in stationary position by moorings or spuds.* (a) *Dredges* which are held in stationary position by moorings or spuds shall display by day two red balls not less than two feet in diameter and carried in a vertical line not less than three feet nor more than six feet apart, and at least 15 feet above the deck house and in a position where they can best be seen from all directions.

(b) By night they shall display a white light at each corner, not less than six feet above the deck, and in addition thereto there shall be displayed in a position where they can best be seen from all directions two red lights carried in a vertical line not less than three feet nor more than six feet apart, and not less

than 15 feet above the deck. When scows are moored alongside a dredge in the foregoing situation they shall display a white light on each outboard corner, not less than six feet above the deck.

§ 201.5 *Self-propelling suction dredges under way and engaged in dredging operations.* (a) Self-propelling suction dredges under way and engaged in dredging operations shall display by day two black balls not less than two feet in diameter and carried in a vertical line not less than 15 feet above the deck house, and where they can best be seen from all directions. The term "dredging operations" shall include maneuvering into or out of position at the dredging site, but shall not include proceeding to and from the site.

(b) By night they shall carry, in addition to the regular running lights, two red lights of the same character as the white masthead light and in a vertical line beneath that light, the red lights to be not less than three feet nor more than six feet apart and the upper red light to be not less than four feet nor more than six feet below the masthead light, and on or near the stern two red lights in a vertical line not less than four feet nor more than six feet apart, to show through four points of the compass; that is, from right astern to two points on each quarter.

§ 201.6 *Vessels moored or anchored and engaged in laying cables or pipe, submarine construction, excavation, mat sinking, bank grading, dike construction, revetment, or other bank protection operations.* (a) Vessels which are moored or anchored and engaged in laying cables or pipe, sumbarine construction, excavation, mat sinking, bank grading, dike construction, revetment, or other bank protection operations, shall display by day, not less than 15 feet above the deck, where they can best be seen from all directions, two balls not less than two feet in diameter, in a vertical line not less than three feet nor more than six feet apart, the upper ball to be painted in alternate black and white vertical stripes six inches wide, and the lower ball to be painted a solid bright red.

(b) By night they shall display three red lights, carried in a vertical line not less than three feet nor more than six feet apart, in a position where they can best be seen from all directions, with the lowermost light not less than 15 feet above the deck.

(c) Where a stringout of moored vessels or barges is engaged in the operations, three red lights carried as prescribed in paragraph (b) of this section shall be displayed at the channelward end of the stringout. Where the stringout crosses the navigable channel and is to be opened for the passage of vessels, the three red lights shall be displayed at each side of the opening instead of at the outer end of the stringout. There shall also be displayed upon such stringout one horizontal row of amber lights not less than six feet above the deck, or above the deck house where the craft carries a deck house, in a position where they can best be seen from all directions, spaced not more than 50 feet apart so as to mark distinctly the entire length and course of the stringout.

§ 201.7 *Lights to be displayed on pipe lines.* Pipe lines attached to dredges, and either floating or supported on trestles, shall display by night one row of amber lights not less than eight feet nor more than 12 feet above the water, about equally spaced and in such number as to mark distinctly the entire length and course of the line, the intervals between lights where the line crosses navigable channels to be not more than 30 feet. There shall also be displayed on the shore or discharge end of the line two red lights, three feet apart, in a vertical line with the lower light at least eight feet above the water, and if the line is to be opened at night for the passage of vessels, a similar arrangement of lights shall be displayed on each side of the opening.

§ 201.8 *Lights generally.* (a) All the lights required by §§ 201.2 to 201.7, inclusive, except as provided in §§ 201.2 (b) and 201.5 (b) shall be of such character as to be visible on a dark night with a clear atmosphere for a distance of at least two miles.

(b) The lights required by § 201.2 (b) to be of the same character as the regular towing lights, and the lights required by § 201.5 (b) to be of the same character as the masthead light, shall be of such character as to be visible on a dark night with a clear atmosphere for a distance of at least five miles.

(c) All floodlights or headlights which may interfere with the proper navigation of an approaching vessel shall be so shielded that the lights will not blind the pilot of such vessel.

§ 201.9 *Vessels moored or at anchor.* Vessels of more than 65 feet in length when moored or anchored in a fairway or channel shall display between sunrise and sunset on the forward part of the vessel where it can best be seen from other vessels one black ball not less than two feet in diameter.

PASSING FLOATING PLANT WORKING IN NAVIGABLE CHANNELS

§ 201.10 *Passing signals.* (a) Vessels intending to pass dredges or other types of floating plant working in navigable channels, when within a reasonable distance therefrom and not in any case over a mile, shall indicate such intention by one long blast of the whistle, and shall be directed to the proper side for passage by the sounding, by the dredge or other floating plant, of the signal prescribed in the local pilot rules for vessels under way and approaching each other from opposite directions, which shall be answered in the usual manner by the approaching vessel. If the channel is not clear, the floating plant shall sound the alarm or danger signal and the approaching vessel shall slow down or stop and await further signal from the plant.

(b) When the pipe line from a dredge crosses the channel in such a way that an approaching vessel cannot pass safely around the pipe line or dredge, there shall be sounded immediately from the dredge the alarm or danger signal and the approaching vessel shall slow down or stop and await further signal from the dredge. The pipe line shall then be opened and the channel cleared as soon as practicable; when the channel is clear for passage the dredge shall so indicate by sounding the usual passing signal as prescribed in paragraph (a) of this section. The approaching vessel shall answer with a corresponding signal and pass promptly.

(c) When any pipe line or swinging dredge shall have given an approaching vessel or tow the signal that the channel is clear, the dredge shall straighten out within the cut for the passage of the vessel or tow.

NOTE: The term "floating plant" as used in §§ 201.10 to 201.16, inclusive, includes dredges, derrick boats, snag boats, drill boats, pile drivers, maneuver boats, hydraulic graders, survey boats, working barges, and mat sinking plant.

§ 201.11 *Speed of vessels passing floating plant working in channels.* Vessels, with or without tows, passing floating plant working in channels, shall reduce their speed sufficiently to insure the safety of both the plant and themselves, and when passing within 200 feet of the plant their speed shall not exceed five miles per hour. While passing over lines of the plant, propelling machinery shall be stopped.

§ 201.12 *Light-draft vessels passing floating plant.* Vessels whose draft permits shall keep outside the buoys marking the ends of mooring lines of floating plant working in channels.

§ 201.13 *Aids to navigation marking floating-plant moorings.* Breast, stern, and bow anchors of floating plant working in navigable channels shall be marked by barrel or other suitable buoys. By night approaching vessels shall be shown the location of adjacent buoys by throwing a suitable beam of light from the plant on the buoys until the approaching vessel has passed, or the buoys may be lighted by red lights, visible in all directions, of the same character as specified in § 201.8 (a).

§ 201.14 *Obstruction of channel by floating plant.* Channels shall not be obstructed unnecessarily by any dredge or other floating plant. While vessels are passing such plant all lines running therefrom across the channel on the passing side which may interfere with or obstruct navigation shall be slacked to the bottom of the channel.

§ 201.15 *Clearing of channels.* When special or temporary regulations have not been prescribed and action under the regulations contained in §§ 201.10 to 201.14, inclusive, will not afford clear passage, floating plant in narrow channels shall, upon notice, move out of the way of vessels a sufficient distance to allow them a clear passage. Vessels desiring passage shall, however, give the master of the floating plant ample notice in advance of the time they expect to pass.

NOTE: If it is necessary to prohibit or limit the anchorage or movement of vessels within certain areas in order to facilitate the work of improvement, application should be made through official channels for establishment by the Secretary of the Army of

special or temporary regulations for this purpose.

§ 201.16 *Protection of marks placed for the guidance of floating plant.* Vessels shall not run over anchor buoys, or buoys, stakes, or other marks placed for the guidance of floating plant working in channels; and shall not anchor on the ranges of buoys, stakes, or other marks placed for the guidance of such plant.

[SEAL] EDWARD F WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 48-340; Filed, Jan. 9, 1948; 8:46 a. m.]

Chapter III—Coast Guard: Inspection and Navigation

[CGFR 47-59]

PART 312—PILOT RULES FOR INLAND WATERS

LIGHTS AND DAY SIGNALS FOR VESSELS, BARGES, ETC., PASSING SIGNALS FOR VESSELS, AND PASSING FLOATING PLANT WORKING IN NAVIGABLE CHANNELS

A notice regarding the proposed changes in the regulations for lights and signals for vessels, dredges of all types, and vessels working on wrecks and obstructions, etc., and passing floating plant working in navigable channels, was published in the FEDERAL REGISTER dated August 22, 1947 (12 F R. 5670), and a public hearing was held by the Merchant Marine Council on September 24, 1947, at Washington, D. C. The written or oral comments submitted were incorporated into the regulations where practicable.

The purpose of the amendments to the regulations regarding lights, signals, and passing floating plant working in navigable channels, is to make editorial changes and minor revisions in order that the regulations will be identical with similar regulations prescribed by the Department of the Army. Under present statutory authority the Commandant of the Coast Guard prescribes the lights and signals for vessels, dredges of all types, and vessels working on wrecks and obstructions, etc., and passing floating plant working in navigable channels, applicable to certain inland waters along the Atlantic and Pacific coasts and the coast of the Gulf of Mexico, while the Secretary of the Army prescribes similar regulations applicable to the Great Lakes and their connecting and tributary waters as far east as Montreal and the Red River of the North, and rivers emptying into the Gulf of Mexico and their tributaries. These regulations are necessary for the protection of life and property and for the safe operation of vessels.

By virtue of the authority vested in me by R. S. 4405, as amended, and section 2, 30 Stat. 102, as amended by 38 Stat. 381, 33 U. S. C. 157, 46 U. S. C. 375; and section 101, Reorganization Plan No. 3 of 1946, 11 F. R. 7875, the following amendments to the regulations are prescribed, which shall become effective on and after March 1, 1948:

1. Sections 312.18 to 312.31 (33 CFR, Supps.) are amended to read as follows:

LIGHTS AND DAY SIGNALS FOR VESSELS, DREDGES OF ALL TYPES, AND VESSELS WORKING ON WRECKS AND OBSTRUCTIONS, ETC.

Sec.

PASSING FLOATING PLANT WORKING NAVIGABLE CHANNELS

AUTHORITY: §§ 312.18 to 312.31a, inclusive, issued under R. S. 4405, as amended, sec. 2, 30 Stat. 102, as amended; 33 U. S. C. 157, 46 U. S. C. 375; and sec. 101, Reorganization Plan No. 3 of 1946, 11 F. R. 7875.

LIGHTS AND DAY SIGNALS FOR VESSELS, DREDGES OF ALL TYPES, AND VESSELS WORKING ON WRECKS AND OBSTRUCTIONS, ETC.

§ 312.18 *Signals to be displayed by a towing vessel when towing a submerged or partly submerged object upon a hawser when no signals can be displayed upon the object which is towed.* (a) The vessel having the submerged object in tow shall display by day, where they can best be seen, two shapes, one above the other, not less than six feet apart, the lower shape to be carried not less than 10 feet above the deck house. The shapes shall be in the form of a double frustum of a cone, base to base, not less than two feet in diameter at the center nor less than eight inches at the ends of the cones, and to be not less than four feet lengthwise from end to end, the upper shape to be painted in alternate horizontal stripes of black and white, eight inches in width, and the lower shape to be painted a solid bright red.

(b) By night the towing vessel shall display the regular side lights but in lieu of the regular white towing lights shall display four lights in a vertical position not less than three feet nor more than six feet apart, the upper and lower of such lights to be white, and the two middle lights to be red, all of such lights to be of the same character as the regular towing lights.

NOTE: The regulations in §§ 312.18 to 312.31a, inclusive, are applicable on the harbors, rivers, and inland waters along the Atlantic and Pacific coasts and the coast of the Gulf of Mexico. Similar Department of the Army regulations are applicable on the Great Lakes and their connecting and tributary waters as far east as Montreal (Great Lakes) and the Red River of the North and rivers emptying into the Gulf of Mexico and their tributaries ("western rivers"), and are contained in §§ 201.1 to 201.16, inclusive, of this title (*supra*).

§ 312.19 *Steam vessels, derrick boats, lighters, or other types of vessels made fast alongside a wreck, or moored over a wreck which is on the bottom or partly submerged, or which may be drifting.* (a) Steam vessels, derrick boats, lighters, or other types of vessels made fast alongside a wreck, or moored over a wreck which is on the bottom or partly submerged, or which may be drifting, shall display by day two shapes of the same character and dimensions and displayed in the same manner as required by § 312.18 (a), except that both shapes shall be painted a solid bright red, but where more than one vessel is working under the above conditions, the shapes need be displayed only from one vessel on each side of the wreck from which they can best be seen from all directions.

(b) By night this situation shall be indicated by the display of a white light from the bow and stern of each outside vessel or lighter not less than six feet above the deck, and in addition thereto there shall be displayed in a position where they can best be seen from all directions two red lights carried in a vertical line not less than three feet nor more than six feet apart, and not less than 15 feet above the deck.

§ 312.20 *Dredges held in stationary position by moorings or spuds.* (a) Dredges which are held in stationary position by moorings or spuds shall display by day two red balls not less than two feet in diameter and carried in a vertical line not less than three feet nor more than six feet apart, and at least 15 feet above the deck house and in such a position where they can best be seen from all directions.

(b) By night they shall display a white light at each corner, not less than six feet above the deck, and in addition thereto there shall be displayed in a position where they can best be seen from all directions two red lights carried in a vertical line not less than three feet nor more than six feet apart, and not less than 15 feet above the deck. When scows are moored alongside a dredge in the foregoing situation they shall display a white light on each outboard corner, not less than six fet above the deck.

§ 312.21 *Self-propelling suction dredges under way and engaged in dredging operations.* (a) Self-propelling suction dredges under way and engaged in

dredging operations shall display by day two black balls not less than two feet in diameter and carried in a vertical line not less than 15 feet above the deck house, and where they can best be seen from all directions. The term "dredging operations" shall include maneuvering into or out of position at the dredging site but shall not include proceeding to or from the site.

(b) By night they shall carry, in addition to the regular running lights, two red lights of the same character as the white masthead light, and in the same vertical line beneath that light, the red lights to be not less than three feet nor more than six feet apart and the upper red light to be not less than four feet nor more than six feet below the masthead light, and on or near the stern two red lights in a vertical line not less than four feet nor more than six feet apart, to show through four points of the compass; that is, from right astern to two points on each quarter.

§ 312.22 *Vessels moored or anchored and engaged in laying cables or pipe, submarine construction, excavation, mat sinking, bank grading, dike construction, revetment, or other bank protection operations.* (a) Vessels which are moored or anchored and engaged in laying cables or pipe, submarine construction, excavation, mat sinking, bank grading, dike construction, revetment, or other bank protection operations, shall display by day, not less than 15 feet above the deck, where they can best be seen from all directions, two balls not less than two feet in diameter, in a vertical line not less than three feet nor more than six feet apart, the upper ball to be painted in alternate black and white vertical stripes six inches wide, and the lower ball to be painted a solid bright red.

(b) By night they shall display three red lights, carried in a vertical line not less than three feet nor more than six feet apart, in a position where they can best be seen from all directions, with the lowermost light not less than 15 feet above the deck.

(c) Where a stringout of moored vessels or barges is engaged in the operations, three red lights carried as prescribed in paragraph (b) of this section shall be displayed at the channelward end of the stringout. Where the stringout crosses the navigable channel and is to be opened for the passage of vessels, the three red lights shall be displayed at each side of the opening instead of at the outer end of the stringout. There shall also be displayed upon such stringout one horizontal row of amber lights not less than six feet above the deck, or above the deck house where the craft carries a deck house, in a position where they can best be seen from all directions, spaced not more than 50 feet apart so as to mark distinctly the entire length and course of the stringout.

§ 312.23 *Lights to be displayed on pipe lines.* Pipe lines attached to dredges, and either floating or supported on trestles, shall display by night one row of amber lights not less than eight feet nor more than 12 feet above the water, about equally spaced and in such number as to mark distinctly the entire length and course of the line, the intervals between lights where the line crosses navigable channels to be not more than 30 feet. There shall also be displayed on the shore or discharge end of the line two red lights, three feet apart, in a vertical line with the lower light at least eight feet above the water, and if the line is to be opened at night for the passage of vessels, a similar arrangement of lights shall be displayed on each side of the opening.

§ 312.24 *Lights generally.* (a) All the lights required by §§ 312.18 to 312.23, inclusive, except as provided in §§ 312.18 (b) and 312.21 (b), shall be of such character as to be visible on a dark night with a clear atmosphere for a distance of at least two miles.

(b) The lights required by § 312.18 (b) to be of the same character as the regular towing lights and the lights required by § 312.21 (b) to be of the same character as the masthead light shall be of such character as to be visible on a dark night with a clear atmosphere for a distance of at least five miles.

(c) All floodlights or headlights which may interfere with the proper navigation of an approaching vessel shall be so shielded that the lights will not blind the pilot of such vessel.

§ 312.25 *Vessels moored or at anchor.* Vessels of more than 65 feet in length when moored or anchored in a fairway or channel shall display between sunrise and sunset on the forward part of the vessel where it can best be seen from other vessels one black ball not less than two feet in diameter.

PASSING FLOATING PLANT WORKING IN NAVIGABLE CHANNELS

§ 312.26 *Passing signals.* (a) Vessels intending to pass dredges or other types of floating plant working in navigable channels, when within a reasonable distance therefrom and not in any case over a mile, shall indicate such intention by one long blast of the whistle, and shall be directed to the proper side for passage by the sounding, by the dredge or other floating plant, of the signal prescribed in the local pilot rules for vessels under way and approaching each other from opposite directions, which shall be answered in the usual manner by the approaching vessel. If the channel is not clear, the floating plant shall sound the alarm or danger signal and the approaching vessel shall slow down or stop and await further signal from the plant.

(b) When the pipe line from a dredge crosses the channel in such a way that an approaching vessel cannot pass safely around the pipe line or dredge, there shall be sounded immediately from the dredge the alarm or danger signal and the approaching vessel shall slow down or stop and await further signal from the dredge. The pipe line shall then be opened and the channel cleared as soon as practicable; when the channel is clear for passage the dredge shall so indicate by sounding the usual passing signal as prescribed in paragraph (a) of this section. The approaching vessel shall answer with a corresponding signal and pass promptly.

(c) When any pipe line or swinging dredge shall have given an approaching vessel or tow the signal that the channel is clear, the dredge shall straighten out within the cut for the passage of the vessel or tow.

NOTE: The term "floating plant" as used in §§ 312.26 to 312.31a, inclusive, includes dredges, derrick boats, snag boats, drill boats, pile drivers, maneuver boats, hydraulic graders, survey boats, working barges, and mat sinking plant.

§ 312.27 *Speed of vessels passing floating plant working in channels.* Vessels, with or without tows, passing floating plant working in channels, shall reduce their speed sufficiently to insure the safety of both the plant and themselves, and when passing within 200 feet of the plant their speed shall not exceed five miles per hour. While passing over lines of the plant, propelling machinery shall be stopped.

§ 312.28 *Light-draft vessels passing floating plant.* Vessels whose draft permits shall keep outside of the buoys marking the end of mooring line of floating plant working in channels.

§ 312.29 *Aids to navigation marking floating-plant moorings.* Breast, stern, and bow anchors of floating plant working in navigable channels shall be marked by barrel or other suitable buoys. By night approaching vessels shall be shown the location of adjacent buoys by throwing a suitable beam of light from the plant on the buoys until the approaching vessel has passed, or the buoys may be lighted by red lights, visible in all directions, of the same character as specified in § 312.24 (a) *Provided,* That the foregoing provisions of this section shall not apply to the following waters of New York Harbor and adjacent waters: the East River, the North River (Battery to Spuyten Duyvil) the Harlem River and the New York and New Jersey Channels (from the Upper Bay through Kill Van Kull, Newark Bay, Arthur Kill, and Raritan Bay to the Lower Bay)

§ 312.30 *Obstruction of channel by floating plant.* Channels shall not be obstructed unnecessarily by any dredge or other floating plant. While vessels are passing such plant, all lines running therefrom across the channel on the passing side, which may interfere with or obstruct navigation, shall be slacked to the bottom of the channel.

§ 312.31 *Clearing of channels.* When special or temporary regulations have not been prescribed and action under the regulations contained in §§ 312.26 to 312.30, inclusive, will not afford clear passage, floating plant in narrow channels shall, upon notice, move out of the way of vessels a sufficient distance to allow them a clear passage. Vessels desiring passage shall, however, give the master of the floating plant ample notice in advance of the time they expect to pass.

NOTE: If it is necessary to prohibit or limit the anchorage or movement of vessels within certain areas in order to facilitate the work of improvement, application should be made through official channels for establishment by the Secretary of the Army of special or temporary regulations for this purpose.

§ 312.31a *Protection of marks placed for the guidance of floating plant.* Vessels shall not run over anchor buoys, or buoys, stakes, or other marks placed for the guidance of floating plant working in channels; and shall not anchor on the ranges of buoys, stakes, or other marks placed for the guidance of such plant.

2. Part 312 is amended by inserting the following center heading to immediately precede § 312.32: "Lights for rafts and other craft not provided for"

Dated: December 11, 1947.

[SEAL] J. F FARLEY,
Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 48-341; Filed, Jan. 9, 1948; 8:46 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

CARRIERS BY PIPELINE ANNUAL REPORT FORM P

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 30th day of December A. D. 1947.

The matter of Annual Reports from Carriers by Pipeline being under consideration:

It is ordered, That the order dated February 11, 1947, In the Matter of Annual Reports from Carriers by Pipeline (§ 120.61, Title 49, Code of Federal Regulations) be, and it is hereby modified with respect to annual reports for the year ended December 31, 1947, and subsequent years, as follows:

§ 120.61 *Form prescribed for carriers by pipeline.* All carriers by pipeline subject to the provisions of section 20, Part I of the Interstate Commerce Act, are hereby required to file annual reports for the year ended December 31, 1947, and for each succeeding year until further order, in accordance with Annual Report Form P (Carriers by Pipeline) which is hereby approved and made a part of this section.[1] The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D. C., on or before March 31 of the year following the one to which it relates. (24 Stat. 386, 34 Stat. 593, 35 Stat. 649, 36 Stat. 556, 41 Stat. 493, 54 Stat. 916, 49 U. S. C. 20 (1)-(8))

NOTE: The reporting requirement of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

By the Commission, Division 1.

[SEAL] W P BARTEL,
Secretary.

[F. R. Doc. 48-282; Filed, Jan. 9, 1948; 8:46 a. m.]

[1] Filed as a part of the original document.

Chapter II—Office of Defense Transportation

PART 500—CONSERVATION OF RAIL EQUIPMENT

SHIPMENTS OF MEAT FROM ARMED FORCES AND SHIPMENTS OF NEW FRESH HARVESTED "WHITE ROSE" POTATOES

CROSS REFERENCE: For exceptions to the provisions of § 500.72, see Part 520 of this chapter, *infra.*

[Gen. Permit ODT 18A, Rev. 18, Amdt. 2]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

SHIPMENTS OF MEAT FOR ARMED FORCES

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Order 8989, as amended, Executive Order 9729, as amended, and Executive Order 9919, General Permit ODT 18A, Revised-18, as amended (11 F R. 9192, 12364) is hereby further amended by striking all provisions contained in § 520.516 thereof (relating to shipments of perishable foodstuffs for the armed forces)

This Amendment 2 to General Permit ODT 18A, Revised-18, shall become effective January 10, 1948.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, 60 Stat. 345, 61 Stat. 34, 321, Pub. Law 395, 80th Cong., 50 U. S. C. App. Sup. 633, 645, 1152; E. O. 8989, Dec. 18, 1941, 6 F R. 6725; E. O. 9389, Oct. 18, 1943, 8 F. R. 14183; E. O. 9729, May 23, 1946, 11 F. R. 5641, E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Issued at Washington, D. C., this 6th day of January 1948.

J. M. JOHNSON,
Director
Office of Defense Transportation.

[F. R. Doc. 48-299; Filed, Jan. 9, 1948; 8:49 a. m.]

[General Permit ODT 18A, Rev. 36]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS AND SPECIAL DIRECTIONS

SHIPMENTS OF NEW FRESH HARVESTED "WHITE ROSE" POTATOES

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Order 8989, as amended, Executive Order 9729, as amended, Executive Order 9919, and General Order ODT 18A, Revised, as amended, it is hereby ordered, that:

§ 520.537 *Shipments of new fresh harvested "White Rose" potatoes.* Notwithstanding the restrictions contained in § 500.72 of General Order ODT 18A, Revised, as amended (11 F R. 8229, 8829, 10616, 13320, 14172; 12 F. R. 1034, 2386), or in Items 470 and 475 of Special Direction ODT 18A-2A, as amended (9 F R. 118, 4247, 13008; 10 F R. 2523, 3470, 14906; 11 F. R. 1358, 13793, 14114; 12 F R. 8025) any person may offer for transportation and any rail carrier may accept for transportation at point of origin, forward from point of origin, or load and forward from point of origin, any carload freight consisting of new fresh harvested Irish potatoes of the variety known as "White Rose" when such carload freight is loaded to a weight not less than 40,000 pounds.

This General Permit ODT 18A, Revised-36, shall become effective January 8, 1948.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, 60 Stat. 345, 61 Stat. 34, 321, Public Law 395, 80th Cong., 50 U. S. C. App. Sup. 633, 645, 1152; E. O. 8989, Dec. 18, 1941, 6 F R. 6725; E. O. 9389, Oct. 18, 1943, 8 F R. 14183; E. O. 9729, May 23, 1946, 11 F R. 5641, E. O. 9919, Jan. 3, 1948, 13 F R. 59)

Issued at Washington, D. C., this 6th day of January 1948.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 48-300; Filed, Jan. 9, 1948; 8:49 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter C—National Wildlife Refuges: Individual Regulations

PART 29—PLAINS REGION NATIONAL WILDLIFE REFUGES

LACREEK NATIONAL WILDLIFE REFUGES, SOUTH DAKOTA; FISHING

Section 29.533 is revised to read as follows:

§ 29.533 *Lacreek National Wildlife Refuge, South Dakota; fishing.* Noncommercial fishing in accordance with the State laws of South Dakota is permitted during the daylight hours in the following described waters of the Lacreek National Wildlife Refuge as follows:

(a) During the period May 1, to August 15: All waters in the SE¼SE¼, Sec. 25, T. 37 N., R. 36 W., lying east of Dam No. 10.

(b) During the period December 1 to February 28: All of Unit 10.

Entry on and use of this refuge for any purpose is governed by the regulations of the Secretary dated December 19, 1940 (5 F. R. 5284, 50 CFR, Cum. Supp. Part 12) as amended, and strict compliance therewith is required. Each fisherman must comply with the applicable State fishing laws and regulations, and must have on his person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations, which license shall serve as a Federal permit for fishing in the waters of the refuge.

State cooperation may be enlisted in the regulation, management, and operation of the public fishing areas, and the State may promulgate such special regulations as may be necessary for such

regulation, management, and operation. In the event such State regulations are issued, compliance therewith shall be a requisite to lawful entry for the purpose of fishing. (Sec. 10, 45 Stat. 1224; 16 U. S. C. 715i)

Dated: December 31, 1947.

O. H. JOHNSON,
Acting Director.

[F. R. Doc. 48-278; Filed, Jan. 9, 1948; 8:53 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 946]

HANDLING OF MILK IN LOUISVILLE, KY., MARKETING AREA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS THERETO WITH RESPECT TO A PROPOSED AMENDMENT TO TENTATIVE MARKETING AGREEMENT AND ORDER

Pursuant to the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Supps., 900.1 et seq., 11 F. R. 7737; 12 F. R. 1159, 4904) notice is hereby given of the filing with the Hearing Clerk of a recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Louisville, Kentucky, marketing area, to be made effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 1940 ed. 601 et seq.)

Interested parties may file exceptions to this recommended decision with the Hearing Clerk, Room 1844, South Building, United States Department of Agriculture, Washington 25, D. C., not later than the 10th day after the publication of this recommended decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. A public hearing, to consider a proposed amendment to the order as amended, and to the tentative marketing agreement, was held at Louisville, Kentucky, on November 17, 1947, following receipt of a proposal filed by the Falls Cities Cooperative Milk Producers' Association. The notice of hearing was issued November 10, 1947 (12 F. R. 7605)

The material issue presented on the record was whether the provisions of § 946.4 (b) should be amended to provide specified minimum prices for Class I and Class II milk for a limited period in 1948 at the December 1947 floor price level.

Findings and conclusions. The provisions of § 946.4 (b) should not be amended so as to provide specified minimum prices for Class I and Class II milk for a limited period in 1948 at the December 1947 floor price level.

There is substantial evidence in the record to show that feed, labor, and other production costs which producers must bear have risen substantially during 1947 and that the upward trend of these costs is still continuing. The record further indicates that in view of general economic conditions there is no expectation that the level of production costs will drop in the near future. Testimony was introduced to show that definite assurance of minimum prices during January, February, and March of 1948 is needed to prevent a general liquidation of dairy herds and to assure a supply of milk during the fall of 1948. However, no showing was made that the proposed specified minimum prices would result in accomplishing this purpose as effectively as the floor set by the present provision of the order for the months of January and February. Present price trends indicate that the floors now established for January and February will be in excess of those proposed. In view of this it is concluded that the proposal should not be adopted.

Rulings on proposed findings and conclusions. Briefs were filed on behalf of the Falls Cities Cooperative Milk Producers' Association and the majority of handlers who are subject to the order, as amended. Every point covered in the briefs was carefully considered, along with the evidence in the record, in making the findings and reaching the conclusions hereinbefore set forth. To the extent that such proposed findings and conclusions are inconsistent with the findings and conclusions contained herein, the request to make such findings or to reach such conclusions are denied on the basis of the facts found and stated in connection with the conclusions in the recommended decision.

Filed at Washington, D. C., this 7th day of January 1947.

[SEAL] S. R. NEWELL,
Acting Assistant Administrator.

[F. R. Doc. 48-324; Filed, Jan. 9, 1948; 8:48 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR, Parts 41, 42, 61]

COCKPIT CHECK LIST

NOTICE OF PROPOSED RULE MAKING

JANUARY 6, 1948.

Pursuant to authority delegated by the Civil Aeronautics Board to the Safety Bureau, notice is hereby given that the Bureau will propose to the Board amendments pertaining to Parts 41, 42, and 61 of the Civil Air Regulations as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted to the Civil Aeronautics Board, attention Safety Bureau, Washington 25, D. C. All communications received by January 20, 1948, will be considered by the Board before taking further action on the proposed rules.

The present air carrier regulations do not prescribe cockpit check list procedures for all aircraft operated in air transportation.

The purpose of these amendments is to require all air carriers to provide and maintain cockpit check lists in the pilot compartment covering procedures for the particular make and model aircraft which are to be followed by the flight crew prior to take-off, prior to landing, and for powerplant emergencies.

It is proposed to amend Parts 41, 42, and 61 as follows:

By adding new §§ 41.29 and 61.343 and by amending § 42.14 to read as follows:

§ 41.29 (also §§ 61.343, and 42.14) *Cockpit check list.* (a) No aircraft shall be operated in air transportation unless a suitable cockpit check list approved by the Administrator is installed in a readily accessible location in the cockpit and is appropriately used by the flight crew during each flight.

(b) The cockpit check list shall include procedures prior to take-off, prior to landing, and for power-plant emergencies.

These amendments are proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended.

(Secs. 205 (a), 601–610, 52 Stat. 984, 1007–1012; 49 U. S. C. 425 (a), 551–560)

Dated: December 31, 1947, at Washington, D. C.

By the Safety Bureau.

[SEAL] F. ALBERY,
Chief, Safety Rules Division, Safety Bureau.

[F. R. Doc. 48-281; Filed, Jan. 9, 1948; 8:46 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR, Part 4]

[Docket No. 8711]

EXPERIMENTAL AND AUXILIARY BROADCAST SERVICES

NOTICE OF PROPOSED RULE MAKING

1. Notice is hereby given of proposed rule making in the above entitled matter.

2. It is proposed to amend §§ 4.402, 4.431, 4.436 and 4.461 to read as set forth below.

3. On March 21, 1947, the Commission adopted new frequency service allocations in the 30–40 megacycle and 152–162 megacycle bands (See Public Notices 3529 and 3544, dated March 21, 1947). One purpose of the proposed amendments is to incorporate these new 152–162 megacycle allocations into the rules and to prescribe revised frequency tolerance values required by such allocations and to remove from the remote pickup rules the 30–40 megacycle frequencies in accordance with the action

taken with respect to this band as a result of the hearings in Docket No. 6651. A further purpose of the proposed amendments is to permit greater flexibility in the use of remote pickup broadcast stations in Alaska, Hawaii and Puerto Rico.

4. The proposed rules are issued under the authority granted in sections 303 (b) (c) (e) (f) and (r) of the Communications Act of 1934, as amended.

5. Any interested person who is of the opinion that the proposed rules should not be adopted or should not be adopted in the forms set forth, may file with the Commission on or before February 2, 1948, a written statement or brief setting forth his comments. The Commission will consider these written comments before taking final action on the proposed amendments, and if comments are submitted which appear to warrant the Commission holding oral argument, notice of the time and place of such oral argument will be given.

6. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs or comments filed shall be furnished the Commission.

Adopted: December 30, 1947.

Released. December 31, 1947.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

§ 4.402 *Frequency assignment.* (a) The following groups of frequencies are allocated for assignment to remote pickup broadcast stations:

(1) Group A[1]—Kilocycles: 1622,[2] 2058, 2150, 2790.

Group B[1]—Kilocycles: 1606,[2] 2074,[2] 2102, 2758.

Group C[1]—Kilocycles: 1646, 2090, 2190, 2830.

(2) Group D[4]—Megacycles.

Group E[4]—Megacycles.

Group F[4]—Megacycles.

Group G[4]—Megacycles.

(3) Group H—Megacycles: 152.75, 152.87, 152.99, 153.47.

Group I—Megacycles: 152.75, 152.87, 153.11, 153.47.

Group J—Megacycles: 152.75, 152.87, 153.23, 153.47.

Group K—Megacycles: 152.75, 152.87, 153.35, 153.47.

(b) One of the above groups only, including all frequencies shown therein, will be assigned to each remote pickup station. The same group may be assigned two or more stations operating in the same area. A licensee will normally be limited to the assignment in any metropolitan area of one frequency group from each (a) (1) (a) (2) and (a) (3)

§ 4.431 *Purpose of remote pickup broadcast stations.* (a) The license of a remote pickup broadcast station authorizes the transmission of program material, or orders concerning such program material, to its associated standard or FM broadcast station and to such other stations as are also broadcasting the same program material. Remote pickup broadcast stations are also authorized to transmit chain programs, or orders concerning such programs, to the network with which its associated station is regularly affiliated. The transmission of programs, or orders concerning such programs, to be broadcast by other standard or FM broadcast stations not aforementioned is authorized: *Provided,* That the transmissions by the remote pickup broadcast station shall be under the control of the remote pickup broadcast station licensee and that such operation shall not exceed a total of 10 days in any 30 day period.

(b) In the event of damage or impairment of the regular circuits of a broadcast station due to storms or other emergencies, remote pickup broadcast stations may be used to provide temporary emergency circuits for program transmission and cue purposes pending completion of repairs. However, remote pickup broadcast stations may not be used for such circuits on a regular basis.

(c) A license authorizes operation on only one of the assigned frequencies at any one time. In case it is desired to transmit programs and orders concerning such programs to the associated broadcast station simultaneously, two licenses are required though each may specify the same group of frequencies. Where it is desired to transmit orders concerning the program from the associated broadcast station to the remote pickup broadcast station a separate license is required.

(d) Remote pickup broadcast stations licensed in Alaska, Hawaii, and Puerto Rico may be used for any auxiliary broadcast purpose including inter-city relay circuits which may be operated by the licensee for the purpose of maintaining studios at locations other than that of the main studio: *Provided, however,* That such stations shall not be used for transmissions intended to be received by the public directly.

§ 4.436 *Emission authorized and channel width.* The license for a remote pickup broadcast station operating on frequencies below 25 megacycles will normally authorize A3 emission and may in addition authorize A1 and A2 emission where a need therefor is shown. The license of a remote pickup broadcast station operating on frequencies above 25 megacycles will normally authorize A3 emission or special emission for frequency modulation depending upon the equipment employed. Stations licensed to employ special emission for frequency modulation shall limit the frequency swing[1] to conform to the requirements of the channel width authorized. The emissions of stations operating in the 25 to 30 megacycle band shall be confined to a total channel width not in excess of 20 kilocycles. The emissions of stations operating in the 152 to 162 megacycle band shall be confined to a total channel width not in excess of 60 kilocycles. Any spurious emissions which may be emitted outside the authorized band shall be limited to such an extent as not to constitute a source of potential interference to other stations and in no event shall such emissions be transmitted at a value in excess of minus 40 decibels as compared to the intensity of the emissions of the station within the authorized channel.

§ 4.461 *Frequency tolerance.* The licensee of a remote pickup broadcast station operating below 25 megacycles shall maintain the operating frequency of its station within plus or minus 0.02 percent of the assigned frequency. The licensee of a remote pickup broadcast station operating above 25 megacycles shall maintain, except as otherwise provided by this section, the operating frequency of its station within plus or minus 0.005 percent of the assigned frequency.[2] The operating frequency of remote pickup broadcast stations licensed for portable operation on frequencies above 25 megacycles with power of 5 watts or less shall be maintained within plus or minus 0.02 percent of the assigned frequency.[2]

[F. R. Doc. 48-307; Filed, Jan. 9, 1948; 8:51 a. m.]

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[1] Subject to change in accordance with action resulting from the proceedings in Docket No. 6651.

[2] Subject to the condition that no interference is caused to broadcast stations on adjacent channels.

[3] Subject to the condition that no interference is caused to Government stations on adjacent channels.

[4] Groups D, E, F and G have heretofore contained frequencies in the 30 to 40 megacycle band. Pursuant to action in Docket No. 6651 (Public Notice 3529 of March 21, 1947) such frequencies are no longer allocated to the remote pickup broadcast service and no new remote pickup stations will be licensed thereon. Remote pickup stations now licensed on these frequencies will be allowed to continue operations thereon in accordance with their present licenses or renewals thereof for a reasonable period after the proposed allocation of frequencies to this service in the 25 to 30 megacycle band (Report in Docket No. 6651, release No. 82387 of May 25, 1945) has been made final, in order to allow for conversion of equipment. Pending final allocation of frequencies in the band 25–30 Mcs., no frequencies are listed under Groups D, E, F and G.

Temporary authorizations will be granted for the operation of new remote pickup stations, or remote pickup stations now licensed for other frequencies, on frequencies in the 25 to 30 megacycle band prior to the final allocation of frequencies in this band. Such authorizations will normally be granted for periods not in excess of six months and are subject to cancellation without advance notice or hearing but may be renewed provided there is no conflict with other allocations. Remote pickup stations operating on frequencies in this band may employ either AM or FM emission provided the emissions are confined within a total band width of 20 kilocycles and the carrier frequency is maintained within a tolerance of 0.005 percent. Informal application (letter or telegram) may be filed to request such operation. The request need not specify a particular frequency but should state that operation is proposed in the 25–30 megacycle band and should state the type of transmitter, the power, and the type of emission proposed to be used.

[1] The term "frequency swing" means the instantaneous departure of the frequency of the emitted wave from the center frequency resulting from modulation.

[2] Remote pickup broadcast stations now operating in the frequency range 30–40 megacycles and on frequencies above 154 megacycles will, during the period such operation continues, pending frequency reassignment of these stations pursuant to the proceedings in Docket No. 6651, retain the frequency tolerance requirements of their present licenses.

NOTICES

DEPARTMENT OF THE INTERIOR

National Park Service

HOT SPRINGS NATIONAL PARK, ARKANSAS

NOTICE OF OPPORTUNITY TO FILE APPLICATIONS FOR PERMISSION TO INSTALL FACILITIES FOR UTILIZATION OF HOT WATER

1. As it appears that the Secretary of the Interior may properly authorize the installation, maintenance, and use of facilities for the utilization of an additional amount (approximately 76,000 gallons daily) of the hot water originating at the Hot Springs National Park, applications for permission to install, maintain, and use such facilities may be submitted in writing by interested persons to the Superintendent, Hot Springs National Park, Arkansas, at any time up to and including Monday, January 26, 1948. (See 16 U. S. C. 361, 362.)

2. Each application should be accompanied by written data indicating why the furnishing of water pursuant to the application would be "proper and necessary for the public service."

3. Applications which are pending in the Department as of the date of this notice will be considered along with those submitted pursuant to this notice. Additional data in support of pending applications may be submitted to the Superintendent, Hot Springs National Park, Arkansas, not later than Monday, January 26, 1948, if the applicants wish to supplement such applications.

4. Applications and supporting data shall be forwarded by the Superintendent of the Hot Springs National Park to the Secretary of the Interior as soon after January 26, 1948, as practicable.

OSCAR L. CHAPMAN,
Under Secretary of the Interior.

JANUARY 7, 1948.

[F. R. Doc. 48-301; Filed, Jan. 9, 1948; 8:50 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 3203]

K. L. M. ROYAL DUTCH AIRLINES

NOTICE OF HEARINGS

In the matter of the application of K. L. M. Royal Dutch Airlines filed pursuant to section 402 (g) of the Civil Aeronautics Act of 1938, as amended, seeking an amendment of its foreign air carrier permit authorizing foreign air transportation of persons, property and mail by designating Willemstad, Curacao, N. W I., and Oranjestad, Aruba, N. W I. as co-terminals.

Notice is hereby given pursuant to section 402 (g) of the Civil Aeronautics Act of 1938, as amended, that a hearing in the above-entitled proceeding is assigned to be held on January 14, 1948, at 10:00 o'clock a. m. (eastern standard time) in Conference Room 129-30, Wing C, Temporary building No. 5, below Constitution Avenue, between 15th and 17th Streets, Washington, D. C., before Examiner F. A. Law, Jr.

Without limiting the scope of the issues presented by said application, particular attention will be directed to the following matters and questions:

1. Whether the proposed air transportation will be in the public interest, as defined in section 2 of the Civil Aeronautics Act of 1938, as amended.

2. Whether the applicant is fit, willing and able to perform such transportation and to conform to the provisions of the act and the rules, regulations, and requirements of the Board thereunder.

3. Whether the authorization of the proposed transportation is inconsistent with any obligation assumed by the United States in any treaty, convention or agreement in force between the United States and the Netherlands.

Notice is further given that any person desiring to be heard in this proceeding may file with the Board, on or before January 14, 1948, pursuant to said section 402 (g) and § 285.12 of the Board's rules of practice, a statement setting forth the issues of fact or law raised by said application which he desires to controvert.

For further details of the service proposed and authorization requested, interested parties are referred to the application on file with the Civil Aeronautics Board.

Dated at Washington, D. C., January 6, 1948.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-310; Filed, Jan. 9, 1948; 8:46 a. m.]

[Docket No. 3237]

BRITISH OVERSEAS AIRWAYS CORP.

NOTICE OF HEARING

In the matter of the application of British Overseas Airways Corporation, under section 402 of the Civil Aeronautics Act of 1938, as amended, for an amendment of its foreign air carrier permit authorizing the foreign air transportation of persons, property, and mail over a route between the United States and Bermuda, so as to include Baltimore, Washington, and New York as co-terminal points on said route.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 402 and 1001 of the said act, that a hearing in the above-entitled matter is assigned to be held on January 12, 1948, at 2:30 p. m. (eastern standard time) in Room 1851, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before Examiner Richard A. Walsh.

Without limiting the scope of the issues presented by said application, particular attention will be directed to the following matters and questions:

1. Whether the proposed amendment will be in the public interest, as defined in section 2 of the Civil Aeronautics Act of 1938, as amended.

2. Whether the applicant is fit, willing, and able to perform the proposed transportation and to conform to the provisions of the act and the rules, regulations, and requirements of the Board thereunder.

3. Whether the authorization of the proposed transportation is consistent with any obligation assumed by the United States in any treaty, convention or agreement in force between the United States and the United Kingdom of Great Britain and Northern Ireland.

Notice is further given that any person desiring to be heard in this proceeding must file with the Board, on or before January 12, 1948, a statement setting forth the issues of fact or law raised by said application which he desires to controvert.

For further details concerning the proposed amendment and authorization requested, interested parties are referred to the application on file with the Civil Aeronautics Board.

Dated at Washington, D. C., January 6, 1948.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-323; Filed, Jan. 9, 1948; 8:48 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 7679, 7830, 8353, 8389]

TURLOCK BROADCASTING GROUP ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Wallace N. Lindskoog, Luther G. Boone, Gordon E. Mowrer, Elmer A. Hyler, August Lindblom, C. H. Lindgren, Wilbur Merrill and Gilbert Moody, a partnership d/b as Turlock Broadcasting Group, Turlock, California, Docket No. 7679, File No. BP-4873; Frank M. Helm, Modesto, California, Docket No. 7830; File No. BP-5184; Radio Modesto, Inc., Modesto, California, Docket No. 8353, File No. BP-5885; Albert Alvin Almada, Sacramento, California, Docket No. 8389, File No. BP-5494; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 30th day of December 1947;

The Commission having under consideration, the above-entitled application of Turlock Broadcasting Group, which, as amended on December 18, 1947, requests a permit to construct a new standard broadcast station to operate on 1390 kc, with 1 kw power, unlimited time, using a directional an-

tenna at night in Turlock, California; and the Commission also having under consideration a petition filed November 13, 1947, by Turlock Broadcasting Group requesting that its said application be designated for hearing in a consolidated proceeding, scheduled to be heard on January 12, 1948, in Washington, D. C., involving the above-entitled applications of Frank M. Helm (requesting a permit to construct a new standard broadcasting station to operate on 1390 kc, with 1 kw power, unlimited time, using a directional antenna at night in Modesto, California) Radio Modesto, Inc. (requesting a permit to construct a new standard broadcast station to operate on 1360 kc, with 1 kw power, unlimited time, using a directional antenna in Modesto, California) and Albert Alvin Almada (requesting a permit to construct a new standard broadcast station to operate on 1390 kc, with 1 kw power, unlimited time, using a directional antenna in Sacramento, California)

It appearing that the Commission on April 30, 1947, designated for hearing in a consolidated proceeding the said applications of Frank M. Helm and Albert Alvin Almada, and that said application of Radio Modesto, Inc., had been designated for hearing on April 30, 1947, and included in the said consolidated proceeding on October 16, 1947;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the subject petition by Turlock Broadcasting Group be, and it is hereby, granted, and that the said application of Turlock Broadcasting Group be, and it is hereby, designated for hearing in the above consolidated proceeding, to be held at the offices of the Commission in Washington, D. C., on January 12, 1948, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership and the partners to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the other pending applications in this proceeding or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the orders of April 30, 1947, designating for hearing the said applications of Frank M. Helm, Albert Alvin Almada and Radio Modesto, Inc., be, and they are hereby, amended to include the said application of Turlock Broadcasting Group.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 48-302; Filed, Jan. 9, 1948; 8:50 a. m.]

[Docket No. 8105]

RADIO SOUTH, INC.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Radio South, Inc., Jacksonville, Florida, Docket No. 8105, File No. BP-5007; for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 23d day of December 1947;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on the frequency 1400 kc, with 250 w power, unlimited time, in Jacksonville, Florida,

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference to whether the proposed station would provide satisfactory service to the city of Jacksonville and its metropolitan district.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 48-303; Filed, Jan. 9, 1948; 8:50 a. m.]

[Docket No. 8698]

ILLINOIS VALLEY BROADCASTING CO. (WIRL)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Edward J. Altorfer, John M. Camp, John H. Altorfer, Katherine A. Swain and Timothy W Swain, a partnership d/b as Illinois Valley Broadcasting Company (WIRL), Peoria, Illinois, Docket No. 8698, File No. BMP-2107; for modification of construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 15th day of December 1947;

The Commission having under consideration a petition for reconsideration filed May 21, 1947, by Miami Valley Broadcasting Corporation, licensee of station WHIO, Dayton, Ohio, directed against the Commission's action, publicly announced May 1, 1947, in granting without hearing the above-entitled application by Illinois Valley Broadcasting Company for modification of construction permit to increase the power of station WIRL (under construction permit) from 1 kw to 5 kw, said application for modification having been filed to comply with a condition imposed by the Commission in its grant, after hearing, of the application by Illinois Valley Broadcasting Company for its original construction permit (File No. BP-3686; Docket No. 6710)

It appearing that the operation of WIRL, as proposed in the above-entitled application for modification of construction permit, would result in objectionable interference to station WHIO under the Commission's Standards in effect now and at the time said application was granted, although said proposed operation would not cause objectionable interference to station WHIO under the Commission's Standards in effect at the time the application for construction permit for WIRL was granted with a condition or at the time the above-entitled application for modification was filed; and

It further appearing that the operation of station WIRL with 5 kw power daytime and 1 kw power at night, using

the directional antenna patterns specified in the above-entitled modification application, will not cause objectionable interference to any existing broadcast station;

It is ordered, That, pursuant to section 405 of the Communications Act of 1934, as amended, and § 1.390 (a) of the Commission's rules and regulations, the said petition for reconsideration filed by Miami Valley Broadcasting Corporation (WHIO) be, and it is hereby granted; that the order of the Commission of April 30, 1947, granting the above-entitled application of Illinois Valley Broadcasting Company be, and it is hereby modified to specify operation with 5 kw power daytime and 1 kw power at night, using the same directional antenna patterns specified in said application, and that the application of Illinois Valley Broadcasting Company requesting operation with 5 kw power at night be, and it is hereby, designated for hearing, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of station WIRL as proposed and the character of other broadcast service available to those areas and populations.

2. To determine whether the operation of station WIRL as proposed would involve objectionable interference with station WHIO, Dayton, Ohio, or with any other existing broadcast stations, or with the services proposed in any pending applications, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

3. To determine whether the installation and operation of station WIRL as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That Miami Valley Broadcasting Corporation, licensee of station WHIO, be, and it is hereby, made a party to this proceeding.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 48-304; Filed, Jan. 9, 1948; 8:50 a. m.]

[Docket No. 8705]

WHITTIER BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Marc H. Spinelli, Mary DiPriter, Richard R. Primanti and Stanley Primanti d/b as Whittier Broadcasting Company, Whittier, California, Docket No. 8705, File No. BPH-1379; for FM construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 30th day of December 1947;

The Commission having under consideration the above-entitled application requesting a construction permit for a new Class A FM broadcast station at Whittier, California;

It appearing that on April 23, 1947, May 22, 1947, June 26, 1947, July 24, 1947, August 28, 1947, and October 16, 1947, the Commission adopted orders designating for hearing in a consolidated proceeding the applications (Docket Nos. 8321 to 8332, inclusive, and 8334, 8442, 8471, 8501 and 8522) requesting construction permits for new Class A FM broadcast stations in the Los Angeles, California, area which applications are or may be in conflict with the above-entitled application;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application of the Whittier Broadcasting Company (BPH-1379) be, and it is hereby designated for hearing in the said consolidated proceeding (Docket Nos. 8321 et al.) upon issues "1" to "6" inclusive as set forth in the Commission's order of April 23, 1947, now scheduled to be heard on January 21, 1948, at Los Angeles, California.

It is further ordered, That the Commission's order of April 23, 1947, be and it is hereby, amended to include the application of the Whittier Broadcasting Company (File No. BPH-1379)

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 48-305; Filed, Jan. 9, 1948; 8:50 a. m.]

[Docket No. 8708]

MARION BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Hartley L. Grisham and George W. Dodds, a partnership d/b as Marion Broadcasting Company, Marion, Illinois, Docket No. 8708, File No. BP-6393; for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 30th day of December 1947;

The Commission having under consideration the above-entitled application for construction permit for a new standard broadcast station to operate on 1150 kc, 250 w power, daytime only, at Marion, Illinois.

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership and the partners to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference to § 3.29 of the rules and the related provisions of the standards.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 48-303; Filed, Jan. 9, 1948; 8:51 a. m.]

[Docket No. 8710]

EMPORIA BROADCASTING CO., INC. (KTSW)

ORDER TO SHOW CAUSE

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 30th day of December 1947:

It appearing that on October 15, 1945, R. J. Laubengayer, Sidney F. Harris, and John P. Harris, each purchased 2500 shares of stock (10%) or a total of 30% of the stock, of the Emporia Broadcasting Company, Inc., licensee of Radio Station KTSW Emporia, Kansas; and, that on July 15, 1946, John P. Harris and Sidney F. Harris each purchased 3500 shares of stock (14%) and R. J. Laubengayer purchased 5971 shares of stock (23.8%), in the Emporia Broadcasting Company and that consequently on and after July 15, 1946, R. J. Laubengayer and the Harrises have between them owned 81.8% of the voting stock of the Emporia Broadcasting Company, of which 51.8% was secured by the purchase of July 15, 1946;

And it appearing that R. J. Laubengayer, and John P. and Sidney F. Harris, are associated together in the ownership of Radio Station KSAL, Salina, Kansas, and the Salina Journal, a newspaper published in the same city; and that Laubengayer and the Harrises were associated in, and jointly owned, a majority of stock in KTOP, Inc., an applicant for a construction permit for a new standard broadcast station in Topeka, Kansas, which application was denied by the

Commission in January, 1947, after a comparative hearing; and further that Laubengayer and John P. Harris are associated together and both own 20% of the stock of KFBI, Inc., which has an application pending before the Commission to acquire control of Station KFBI, Wichita, Kansas, now licensed to the Farmers' and Bankers' Broadcasting Company, and that Sidney F. Harris, while not a stockholder in KFBI, Inc., is associated with Laubengayer and John P. Harris in the purchase of Station KFBI from the Farmers' and Bankers' Broadcasting Company·

And it further appearing that Laubengayer and the Harrises filed on July 11, 1947, an application (BTC–559) with the Commission requesting permission to transfer control of Station KTSW from themselves to Robert B. and Gervais F Reed, and have given as a reason for their desire to transfer control of KTSW that: Transferors purchased interests in KTSW at about the time they applied for a new station in Topeka, Kansas (BA–P–3727) feeling that the two stations under common ownership in contiguous territories would render an effective service to that territory as disclosed in the hearing on the Topeka application. The denial of the Topeka application prevented them from accomplishing this purpose.

And it further appearing that although notice was timely given to the Commission of the purchases of stock in the Emporia Broadcasting Company by R. J. Laubengayer and Sidney F and John P Harris, no application has ever been filed with the Commission for permission to transfer control of the Emporia Broadcasting Company from its previous stockholders to R. J. Laubengayer and John P and Sidney F. Harris, nor have the requirements of § 1.321 of the rules and regulations of the Federal Communications Commission been complied with in respect to the purchases of the majority of the stock of the Emporia Broadcasting Company by Laubengayer and the Harrises.

It is ordered, Pursuant to sections 310 (b), and 312 (a) and 403 of the Communications Act of 1934, as amended, the Emporia Broadcasting Company, Inc., appear at a hearing on the 2d day of February, 1947, at the offices of the Commission in Washington, D. C., to show cause:

1. Whether a transfer of control of Emporia Broadcasting Company, to R. J. Laubengayer, Sidney F Harris and John P Harris, acting jointly and by agreement, written or oral, was consummated on or before July 15, 1946;

2. Whether the Emporia Broadcasting Company and R. J. Laubengayer, Sidney F Harris, and John P. Harris have violated section 310 (b) of the Communications Act of 1934, as amended, and § 1.321 of the rules and regulations of the Federal Communications Commission by failing to file an application for transfer of control of the Emporia Broadcasting Company to R. J. Laubengayer, Sidney F Harris, and John P Harris, and by failing to comply with the provisions of § 1.321 of the rules and regulations of the Federal Communications Commission.

3. Whether in the event the Commission should find that such violations occurred, the Commission should institute proceedings looking to a revocation of the license of the Emporia Broadcasting Company for KTSW or require compliance with the provisions of section 310 (b) and the Commission's rules.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48–306; Filed, Jan. 9, 1948; 8:50 a. m.]

ALOHA BROADCASTING CO., LTD., LICENSEE OF KHON, HONOLULU, HAWAII

PUBLIC NOTICE CONCERNING THE PROPOSED TRANSFER OF CONTROL [1]

The Commission hereby gives notice that on October 7, 1947 there was filed with it an application (BTC–577) for its consent under section 310 (b) of the Communications Act to the proposed transfer of control of said company licensee of KHON, Honolulu, Hawaii from Ralph M. Fitkin to Louis Roy Turner involving the sale by said Fitkin of 2,500 shares or half of his common stock holdings constituting a 25% stock interest in the company for $25,000.

On November 26, 1947 a further application (BTC–599) was filed for Commission consent to the further transfer of control of said company arising out of the sale by James C. Hardy of 2,500 shares or a 25% stock interest in said company to Webley E. Edwards for $25,000. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by the applicant on December 22, 1947 that starting on January 2, 1948 notice of the filing of the application would be inserted in a newspaper of general circulation at Honolulu, Hawaii, in conformity with the above section.

In accordance with the procedure set out in said section, no action will be had upon the application for a period of 60 days from January 2, 1948 within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Sec. 310 (b) 48 Stat. 1086; 47 U. S. C. 310 (b))

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48–309; Filed, Jan. 9, 1948; 8:51 a. m.]

[1] Section 1.321, Part 1, Rules of Practice and Procedure.

FEDERAL POWER COMMISSION

[Docket No. IT–5840]

MONTANA POWER CO.

ORDER GRANTING PETITIONS REQUESTING ORAL ARGUMENT

(1) Counsel for The Montana Power Company and counsel for Cascade, Lewis and Clark, and Gallatin Counties, Montana, respondent and interveners, respectively, in the above-entitled proceeding, filed motions on December 22, 1947, requesting opportunity to present oral argument before the Commission on their exceptions to the Initial Decision entered September 30, 1947, by the Presiding Examiner.

(2) The Commission finds that oral argument by counsel for the respondent, the interveners, and the staff is appropriate under the circumstances.

(3) *It is ordered,* That oral argument in the above-entitled proceeding be had before the Commission on February 2, 1948, at 10:00 a. m. (e. s. t.), in the Hearing Room of the Commission, 1800 Pennsylvania Avenue N. W., Washington, D. C.

Date of issuance: January 7, 1948.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 48–279; Filed, Jan. 9, 1948; 8:46 a. m.]

[Docket No. G–533]

NORTHERN NATURAL GAS CO.

NOTICE OF ORDER ON REHEARING MODIFYING ORDER GRANTING IN PART AND DISMISSING IN PART APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

JANUARY 7, 1948.

Notice is hereby given that, on January 6, 1948, the Federal Power Commission issued its order entered January 6, 1948, on rehearing modifying order granting in part and dismissing in part application for certificate of public convenience and necessity in the above-designated matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 48–280; Filed, Jan. 9, 1948; 8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 790, Amdt. 5 to Corr. Special Directive 1]

PENNSYLVANIA RAILROAD CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Special Directive No. 1 (12 F R. 7950) under Service Order No. 790 (12 F R. 7791) and good cause appearing therefor·

It is ordered, That Special Directive No. 5, be, and it is hereby amended by substituting Appendix A hereof for Appendix A thereof.

A copy of this amendment shall be served upon The Pennsylvania Railroad Company and notice of this amendment shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 5th day of January A. D. 1948.

HOMER C. KING,
Director,
Bureau of Service.

APPENDIX A

Mine	Cars	
	Per day	Per week
A & A		3
Adams	3	
Allen	2	
Armstrong	15	
Banks-West. Bituminous	5	
Bear Run-Mountain Branch	6	
Bennett		4
Bethany	8	
Betsy	8	
Bigelow Run	4	
Birch Creek No. 3	6	
Bolivar	3	
Bostonia 9 and 10	2	
Bowers		2
Braeburn-Wildcat	2	
Bucher	4	
Bulger 2 and 3	7	
Cambria	1	
Captina	1	
Catfish	1	
Chinook	29	
Cipolla		2
Costanzo	5	
Crawford	1	
Creighton		4
Decker	2	
Delmont 10	10	
Diamond Smokeless	3	
Dorothy-Florence	19	
Dun Glen	31	
Enterprise	1	
Eureka 35, 37, 40	3	
Export	6	
Ferrar-Nagode	14	
Fike	1	
Fleck No. 4	2	
Florence (Harmon Creek)	28	
Foster	43	
Francis	35	
Fulton 1 and 3	2	
Gander-Walsh	2	
Gilpin	7	
Glen Fisher (P & N 14)		4
Graceton	1	
Graff 1 and 2	12	
Hankey	4	
Hanlin	31	
Harkleroad	1	
Hays 2	6	
Hillcrest	9	
Hough & Frigano	1	
Huskin 6	2	
Irwin 11	4	
Jamison 2, 20, 21	11	
Jane	4	
Jones	1	
Jordan	5	
Joyce 1-3	4	
Kenbrook	9	
Kish	2	
Kiski Valley	6	
Knox 1, 2, 5	49	
Lambert, B&M, and various	1	
Lamkie	2	
Lewis	2	
Lindley-Midland	33	
Lindsey 8	1	
Lloyd 3 and 4	6	
Locust Grove	27	
Lucerne	1	
Mac	2	
Magnolia		2
Maher 4	7	
Mateer	4	
Mathias	8	
Mautz		4
Mayview-McGovern	4	
McCombie 2	1	
McCullough	5	
Meecham	2	
Mercury 2	5	
Mid Pen 4	8	
Militant & Cooper smokeless	2	
Miller Strip	4	
Miller	4	

APPENDIX A—Continued

Mine	Cars	
	Per day	Per week
Milligan		3
Mimms	1	
Moowcen	3	
Mullett	23	
Navy smokeless	1	
Painter	2	
Panhandle	8	
Parrell	2	
Paris 1	10	
Park	12	
Patoka	2	
Patsch	9	
Penna. 10	3	
Penn Valley	8	
Poole	4	
Powhatan	15	
Presutti 2	5	
Primrose 2 and 4	4	
Rea		2
Reitz 2, 3, 4, 5, 8	3	
Regent	4	
Rhems	3	
Rose Hill	15	
Salina	1	
Saxton	4	
Schlegel	8	
Segar	2	
Shasta	7	
Smith 1 and 2	1	
Standard 1	2	
Standard 9—Sasso 5	27	
Standard 10	11	
Sterling		3
Stindman 3	4	
Sunshine	1	
Superior 1 and 3	3	
Superior 3	2	
Sycamore 26, 27, 30	10	
Tex X	4	
Testa	4	
Thomassey		4
Runnelton	2	
Universal 1 and 2	2	
Valley	14	
Valley Camp 1, 3, 4, 5	29	
Vegler	10	
Venturini	2	
Virginia 14		4
Walnut Grove	1	
Washington	14	
Webco	5	
Webb	33	
Yockey	1	
Lemont-Hankins	2	
Richland	2	

[F. R. Doc. 48-283; Filed, Jan. 9, 1948; 8:46 a. m.]

[S. O. 790, Amdt. 2 to Special Directive 5]

PITTSBURG & SHAWMUT RAILROAD CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Special Directive No. 5 (12 F. R. 7952) under Service Order No. 790 (12 F. R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 5, be, and it is hereby amended by substituting paragraph (1) hereof for paragraph (1) thereof.

(1) To furnish to the mines listed below cars for the loading of Pennsylvania Railroad fuel coal in the number specified from its total available supply of cars suitable for the transportation of coal:

Mine	Cars	
	Per day	Per week
Fairview-Gobeen (Hetrick)		2
Seneca and various	19	

A copy of this amendment shall be served upon The Pittsburg & Shawmut Railroad Company and notice of this amendment shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 5th day of January A. D. 1948.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-284; Filed, Jan. 9, 1948; 8:46 a. m.]

[S. O. 790, Amdt. 3 to Special Directive 6]

MONONGAHELA RAILWAY CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Special Directive No. 6 (12 F. R. 7952) under Service Order No. 790 (12 F. R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 6, be, and it is hereby amended by substituting paragraph (1) hereof for paragraph (1) thereof.

(1) To furnish to the mines listed below cars for the loading of Pennsylvania Railroad fuel coal in the number specified from its total available supply of cars suitable for the transportation of coal:

Mine	Cars	
	Per day	Per week
Brock & National	9	
Byrne 2	1	
Christopher 2 and 3	3	
Jamison 11	4	
La Belle-Old La Belle		2
Love 4	2	
Martin 2	2	
Pursglove 2	23	
Rosedale 1 and 2, Mon	13	
Whiteley	5	
Mon-Ark No. 5	3	

A copy of this amendment shall be served upon The Monongahela Railway Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 5th day of January A. D. 1948.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-285; Filed, Jan. 9, 1948; 8:47 a. m.]

MONTOUR RAILROAD CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Special Directive No. 7 (12 F. R. 7952) under Service Order No. 790 (12 F. R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 7, be, and it is hereby amended by substituting paragraph 1 hereof for paragraph 1 thereof.

(1) To furnish to the mines listed below cars for the loading of Pennsylvania Railroad fuel coal in the number specified from its total available supply of cars suitable for the transportation of coal:

Mine	Cars	
	Per day	Per week
Grant 2 (Boggs-Sunnyhill)		2
Imperial (Sunnyhill)	4	
Irma (Sherrys Dock-Import)	3	
Rider 3 and 4 (Aloe)	9	

A copy of this amendment shall be served upon The Montour Railroad Company and notice of this amendment shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 5th day of January A. D. 1948.

HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 48-286; Filed, Jan. 9, 1948; 8:47 a. m.]

[S .O. 790, Special Directive 13A]

CHICAGO, BURLINGTON & QUINCY RAILROAD CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Special Directive No. 13A (12 F. R. 7972) under Service Order No. 790 (12 F. R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 13A, be, and it is hereby vacated effective 12:01 a. m., January 3, 1948.

A copy of this directive shall be served upon the Chicago, Burlington & Quincy Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 2d day of January A. D. 1948.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-287; Filed, Jan. 9, 1948; 8:47 a. m.]

[S. O. 710, Special Directive 33]

WESTERN ALLEGHENY RAILROAD CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

By letter dated December 30, 1947 The Pennsylvania Railroad Company and The Long Island Railroad Company have certified that they have on that date in storage and in cars a total supply of 13.6 days of fuel coal, and that it is immediately essential that these companies increase their coal supply from certain enumerated mines.

The certified statements have been verified and found to be correct.

Therefore, pursuant to the authority vested in me by paragraph (b) of Service Order 790, the Western Allegheny Railroad Company is directed:

(1) To furnish daily to the Brady #3 (Don Kaylor) one car for the loading of Pennsylvania Railroad fuel coal from its total available supply of cars suitable for the transportation of coal.

(2) That such cars furnished in excess of the mines' distributive share for the day will not be counted against said mine.

(3) That it shall not accept billing of cars furnished for loading under the provisions of this directive unless billed for The Pennsylvania Railroad fuel coal supply.

(4) To furnish this Bureau, as soon as may be practicable after the end of each week, information showing the total number of cars furnished to said mine for the preceding week under the authority of this directive and to indicate how many such cars were in excess of the daily distributive share of car supply of such mine.

A copy of this special directive shall be served upon the Western Allegheny Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 5th day of January A. D. 1948.

HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 48-288; Filed, Jan. 9, 1948; 8:47 a. m.]

[S. O. 790, Special Directive 34]

NEW HAVEN & DUNBAR RAILROAD CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

By letter dated December 30, 1947, The Pennsylvania Railroad Company and The Long Island Railroad Company have certified that they have on that date in storage and in cars a total supply of 13.6 days of fuel coal, and that it is immediately essential that these companies increase their coal supply from certain enumerated mines.

The certified statements have been verified and found to be correct.

Therefore, pursuant to the authority vested in me by paragraph (b) of Service Order No. 790, the New Haven & Dunbar Railroad Company is directed;

(1) To furnish daily to the Dunbar mine two cars for the loading of Pennsylvania Railroad fuel coal from its total available supply of cars suitable for the transportation of coal.

(2) That such cars furnished in excess of the mines' distributive share for the day will not be counted against said mine.

(3) That it shall not accept billing of cars furnished for loading under the provisions of this directive unless billed for The Pennsylvania Railroad Fuel coal supply.

(4) To furnish this Bureau, as soon as may be practicable after the end of each week, information showing the total number of cars furnished to said mine for the preceding week under the authority of this directive and to indicate how many such cars were in excess of the daily distributive share of car supply of such mine.

A copy of this special directive shall be served upon the New Haven & Dunbar Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 5th day of January A. D. 1948.

HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 48-289; Filed, Jan. 9, 1948; 8:47 a. m.]

[S. O. 790, Special Directive 3A]

LOUISVILLE AND NASHVILLE RAILROAD TO FURNISH CARS FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Service Order No. 790 (12 F. R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 3 under Service Order No. 790, be, and it is hereby vacated effective 12:01 a. m., January 7, 1948.

A copy of this special directive shall be served upon The Louisville and Nashville Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 6th day of January A. D. 1948.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-290; Filed, Jan. 9, 1948; 8:47 a. m.]

[S. O. 790, Special Directive 35]

WHEELING AND LAKE ERIE RAILWAY CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

By letter dated December 30, 1947, The Pennsylvania Railroad Company and The Long Island Railroad Company have certified that they have on that date in storage and in cars a total supply of 13.6 days of fuel coal, and that it is immediately essential that these companies increase their coal supply from certain enumerated mines.

The certified statements have been verified and found to be correct.

Therefore, pursuant to the authority vested in me by paragraph (b) of Service Order 790, The Wheeling and Lake Erie Railway Company is directed:

(1) To furnish daily to the Fulton #4 mine, 2 cars for the loading of Pennsylvania Railroad fuel coal from its total available supply of cars suitable for the transportation of coal.

(2) That such cars furnished in excess of the mines' distributive share for the day will not be counted against said mine.

(3) That it shall not accept billing of cars furnished for loading under the provisions of this directive unless billed for The Pennsylvania Railroad fuel coal supply.

(4) To furnish this Bureau, as soon as may be practicable after the end of each week, information showing the total number of cars furnished to said mine for the preceding week under the authority of this directive and to indicate how many such cars were in excess of the daily distributive share of car supply of such mine.

A copy of this special directive shall be served upon The Wheeling and Lake Erie Railway Company and notice of this Directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 5th day of January A. D. 1948.

HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 48-291; Filed, Jan. 9, 1948; 8:47 a. m.]

[S. O. 790, Special Directive 36]

DENVER AND RIO GRANDE WESTERN RAILROAD CO. AND CARBON COUNTY RAILWAY CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

By letter dated November 17, 1947, The Denver and Rio Grande Western Railroad Company has certified that it has on that date in storage and in cars a total supply of 7.5 days of fuel coal, and that it is immediately essential that this company increase its coal supply from certain enumerated mines.

The certified statements have been verified and found to be correct.

Therefore, pursuant to the authority vested in me by paragraph (b) of Service Order No. 790, the following directions shall be observed:

(1) The Denver and Rio Grande Western Railroad Company shall furnish to the Carbon County Railway Company 4 cars daily for loading D&RGW fuel coal:

(2) The Carbon County Railway Company shall furnish daily to the Geneva mine a total of 4 cars for the loading of D&RGW fuel coal;

(3) That such cars furnished in excess of the mines' distributive share for the day will not be counted against said mine;

(4) That it shall not accept billing on cars furnished for loading under the provisions of this directive unless billed for D&RGW fuel coal supply;

(5) To furnish this Bureau, as soon as may be practicable after the end of each week, information showing the total number of cars furnished to said mine for the preceding week under the authority of this directive and to indicate how many such cars were in excess of the daily distributive share of car supply of such mine.

(6) The D&RGW shall advise this office when its total supply of fuel coal including fuel stock piled or cars loaded on its lines reaches the amount of 16 days' supply.

A copy of this special directive shall be served upon The Denver and Rio Grande Western Railroad Company and the Carbon County Railway Company, and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 5th day of January A. D. 1948.

HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 48-292; Filed, Jan. 9, 1948; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-1718]

PUBLIC SERVICE CO. OF NEW MEXICO

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 5th day of January A. D. 1948.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Public Service Company of New Mexico ("Public Service") a subsidiary of Cities Service Company, a registered holding company. Applicant has designated section 6 (b) as applicable to the proposed transactions, and states it will file an application with the New Mexico Public Service Commission for the necessary approval.

Notice is further given that any interested person may, not later than January 19, 1948, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter stating the reasons for such request, the nature of his interest, and the issues of fact or law raised by said application which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed as follows: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after January 19, 1948, said application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

All interest persons are referred to said application which is on file in the offices of this Commission for a statement of the transactions therein proposed which may be summarized as follows:

Public Service proposes to issue and sell $1,000,000 principal amount of First Mortgage Bonds, ____% Series due 1978 to a private purchaser. The bonds are to be sold at par and accrued interest and the interest rate, to be determined and fixed by contract between the company and the purchaser, is not to exceed 3½% per annum. The bonds will be issued pursuant to the company's indenture dated as of June 1, 1947, as supplemented by a First Supplement Indenture to be dated as of January 1, 1948, and will be authenticated upon the basis of unfunded net property additions. Net property additions available as the basis for the issuance of additional bonds to the extent of 60% thereof, under the existing indenture, aggregated $2,391,559 to November 30, 1947.

Public Service states that the proceeds of the sale of the proposed bonds will be used to prepay the principal of its $1,000,000 bank loan note due April 24, 1948.

Public Service requests that the Commission issue its order herein not later than January 20, 1948, and that the order herein become effective on the date of issuance.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 48-234; Filed, Jan. 9, 1948; 8:47 a. m.]

[File No. 812-530]

ATLAS CORPORATION AND NORTHEAST AIRLINES, INC.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Philadelphia, Pa., on the 6th day of January A. D. 1948.

Notice is hereby given that Atlas Corporation (hereinafter called "Atlas") a registered investment company, and Northeast Airlines, Inc. (hereinafter called "Northeast") an affiliated person of Atlas, have filed an application pursuant to section 17 (b) of the Investment Company Act of 1940 for an order of the Commission exempting from the provisions of section 17 (a) of the act a proposed extension of the maturity from December 31, 1947, to March 31, 1948 of certain notes of Northeast aggregating $1,100,000 held by Atlas.

On December 31, 1946 Atlas and Northeast entered into a loan agreement pursuant to which, among other things, Atlas agreed to lend Northeast, from time to time, sums up to but not in excess of $1,250,000 to be evidenced by promissory notes due December 31, 1947. The execution of the loan agreement was exempted from the provisions of section

17 (a) of the act by an order of the Commission dated January 29, 1947. Atlas loaned Northeast a total of $1,100,000 pursuant to said agreement. Northeast is also indebted to Salta Holding Corporation (hereinafter called "Salta") a subsidiary of Atlas, in the sum of $747,005, which indebtedness was created in connection with certain conditional sale agreements previously executed by Northeast.

Prior to March 31, 1948, Northeast proposes to retire and refinance all its outstanding indebtedness to Atlas and Salta by (a) the sale of 83,333 shares of convertible preferred stock to its holders of common stock including Atlas and the application of the proceeds from the sale of said stock to retire all but $400,000 principal amount of indebtedness, and (b) the refinancing of such $400,000 of principal amount of indebtedness not so retired by the issuance to Atlas of an equivalent principal amount of refunding notes maturing at December 31, 1954. The proposal of Northeast with respect to the issuance of these refunding notes is covered by a separate application and is not involved in the instant application.

All interested persons are referred to said application which is on file in the offices of the Commission for a detailed statement of the proposed exemption and the matters of fact and law asserted.

Notice is further given that an order granting the application may be issued by the Commission on or at any time after January 19, 1948, unless prior thereto a hearing upon the application is ordered by this Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may submit to the Commission in writing, not later than January 16, 1948, at 5:30 p. m., his views or any additional facts bearing upon the application or the desirability of a hearing thereon, or a request to the Commission that a hearing be held thereon. Any such communication or request should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 48-293; Filed, Jan. 9, 1948; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 10155]

CARL GUDERT

In re: Trust under the will of Carl Gudert, deceased. File No. D-28-2204 E. T. sec. 3018.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That John Haeusler, Katharine Mayer, Babetta Haeusler, John Mayer, Jr., Margaretha Mayer, Hans Kraus and Caroline Werner, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the trust established under the will of Carl Gudert, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

3. That such property is in the process of administration by George J. Haeusler, as Surviving Trustee, acting under the judicial supervision of the County Court of Milwaukee County, Wisconsin,

and it is hereby determined:

4. That to the extent that the above-named persons are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings, prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 17, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-270; Filed, Jan. 8, 1948; 8:46 a. m.]

[Vesting Order 10219]

ADOLPH C. DICK

In re: Estate of Adolph C. Dick, deceased. File D-28-8894. E. T. sec. 11092.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Viktoria Dick, nee Schöll, whose last known address is Germany, is a resident of Germany and national of a designated enemy country (Germany)

2. That the right of said Viktoria Dick, nee Schöll, under section 233.14, Wisconsin Statutes, to take her intestate share of the Estate of Adolph C. Dick, deceased, and all other right, title, interest and claim of any kind or character whatsoever of said Viktoria Dick, nee Schöll, in, to, and against the Estate of Adolph C. Dick, deceased, is property or an interest therein owned or controlled by, payable or deliverable to or claimed by, the aforesaid national of a designated enemy country (Germany),

3. That such property is in the process of administration by Gretchen Hilmers, Executrix, acting under the judicial supervision of the County Court, Milwaukee County, State of Wisconsin;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property desoribed above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 25, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-271; Filed, Jan. 8, 1948; 8:46 a. m.]

[Vesting Order 10353]

FREDA AND BENNO BREITREINER

In re: Mortgage participation certificates owned by and debts owing to Freda Breitreiner and Benno Breitreiner, also known as Benno Breitrainer. F-28-13454-C-1/2, F-28-13454-D-1/2.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Freda Breitreiner and Benno Breitreiner, also known as Benno Breitrainer, each of whose last known address is Soellhuben Rosenheim, Bavaria, Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows:

a. That certain obligation, matured or unmatured, owing to Freda Breitreiner and Benno Breitreiner, also known as Benno Breitrainer, by Fifth Avenue Hotel Corporation, 1441 Broadway, New York, New York, arising out of a participation in the amount of $1,000 in Prudence Bonds Corporation New York Fifth Avenue Hotel Issue evidenced by a trustee's certificate therefor bearing number 4J886, of $1000 face value, issued under indenture dated as of November 1, 1938 between Fifth Avenue Hotel Corporation and Harold St. L. O'Dougherty, Trustee, said trustee's certificate being registered in the names of Benno Breitreiner and Freda Breitreiner as Joint Tenants and their Survivor, together with any and all accruals to the aforesaid obligation and all rights in, to and under the aforesaid trustee's certificate, and

b. Those certain debts or other obligations owing to Freda Breitreiner and Benno Breitreiner, also known as Benno Breitrainer, by Prudence Realization Corporation, 15 William Street, New York, New York, in the amounts of $6.07 and $4.55, as of December 31, 1945, together with any and all accruals thereto and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Freda Breitreiner, and Benno Breitreiner, also known as Benno Breitrainer, the aforesaid nationals of a designated enemy country (Germany)

3. That the property described as follows:

a. That certain obligation, matured or unmatured, owing to Benno Breitreiner, also known as Benno Breitrainer, by Eton Holding Corporation, New York, New York, arising out of a participation in the amount of $500 in Prudence Company, Inc., Eton Holding Corporation (360 East 55th Street, New York, New York) Issue evidenced by a trustee's certificate therefor bearing number 236, of $500 face value and registered in the name of Benno Breitrainer, together with any and all accruals to the aforesaid obligation and all rights in, to and under the aforesaid trustee's certificate, and

b. Those certain debts or other obligations owing to Benno Breitreiner, also known as Benno Breitrainer, by Prudence Realization Corporation, 15 William Street, New York, New York, in the amounts of $2.36 and $1.77, as of December 31, 1945, together with any and all accruals thereto and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Benno Breitreiner, also known as Benno Breitrainer, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 15, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-274; Filed, Jan. 8, 1948; 8:47 a. m.]

[Vesting Order 10189]

ROTOPRINT A. G.

In re: Rights and interests created in Rotoprint, A. G., of Berlin, Germany, by virtue of an agreement dated March 20, 1935, with Harold Baumgardner and by an agreement dated November 24, 1936, with American Rotoprint Corporation.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Rotoprint, A. G. is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a designated enemy country (Germany)

2. That the property described as follows:

(a) All interests and rights (including all damages for the breach of the agreement hereinafter described, together with the right to sue therefor) created in Rotoprint, A. G. by virtue of an agreement dated March 20, 1935, by and between Rotoprint A. G. and Harold Baumgardner, which agreement relates, among other things, to printing, offset and/or duplicating machines and to United States Letters Patent No. 2,103,617,

(b) All interests and rights (including all damages for the breach of the agreement hereinafter described, together with the right to sue therefor) created in Rotoprint, A. G., by virtue of an agreement dated November 24, 1936 with American Rotoprint Corporation, which agreement amends the agreement of March 20, 1935, between Rotoprint, A. G., and Harold Baumgardner, and

(c) The interests and rights of Rotoprint, A. G., in any and all blueprints, and/or drawings of all machines, parts and equipment which it was obligated under the agreement of March 20, 1935, as amended by the agreement of November 24, 1936, to deposit with an escrow agent,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, the aforesaid national of a designated enemy country (Germany) and is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to or which is evidence of ownership or control by, the aforesaid national of a designated enemy country

and it is hereby determined:

3. That to the extent that the person identified in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 19, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-311; Filed, Jan. 9, 1948; 8:46 a. m.]

[Vesting Order 10269]

JOSEPHINE BARTSCH

In re: Estate of Josephine Bartsch, also known as Josephine Barch, deceased. File No. D-28-11676, E. T. sec. 15882.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That August Balle, Mary Balle, Anna Heppler, Rudy Roemer, Willie Roemer and Adelheid Stahl, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the Estate of Josephine Bartsch, also known as Josephine Barch, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

3. That such property is in the process of administration by Joseph Balle, as Ad-

ministrator, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

and it is hereby determined:

4. That to the extent that the persons identified in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 9, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-312; Filed, Jan. 9, 1948; 8:46 a. m.]

[Vesting Order 10336]

DAVID KRUGGEL

In re: Estate of David Kruggel, deceased. File No. D-28-11482; E. T. sec. 15705.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Peter Kruggel, Johann Kruggel, Herman Schultz, and Johann Schultz, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the estate of David Kruggel, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany)

3. That such property is in the process of administration by George L. Sleeper, as administrator, acting under the judicial supervision of the Probate Court of Suffolk County, Massachusetts;

and it is hereby determined:

4. That to the extent that the persons identified in subparagraph 1 hereof, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 15, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-313; Filed, Jan. 9, 1948; 8:46 a. m.]

[Vesting Order 10359]

CALISTA MARIE PABST

In re: Bank account, interest in a participation certificate and claim owned by Calista Marie Pabst, also known as Calista M. Pabst.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Calista Marie Pabst, also known as Calista M. Pabst, whose last known address is Chemnitz, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows:

a. That certain debt or other obligation of The Chase National Bank of the City of New York, 11 Broad Street, New York, New York, arising out of a custodian account, account number FS-87184, entitled Chase National Bank as Custodian for Calista M. Pabst, and any and all rights to demand, enforce and collect the same,

b. An undivided five-eighths (5/8) interest in Mortgage Participation Certificate No. 50, Series No. 51141-T, dated February 14, 1929, issued by Lawyers Mortgage Company to The National Park Bank of New York, as executor and trustee of the Estate of Charles M. Rolker, deceased, presently in the possession of The Chase National Bank of the City of New York, 11 Broad Street, New York, New York, and any and all rights thereunder and thereto, including particularly but not limited to the amount of $4,668.05, as of March 24, 1947, presently held by Lawyers Mortgage Corporation, 115 Broadway, New York, New York, and any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

c. Five-eighths (5/8) of that debt or obligation, matured or unmatured, of The Superintendent of Insurance of the State of New York, Liquidation Bureau, 160 Broadway, New York, New York, arising out of a guarantee, executed by Lawyers Mortgage Company, in connection with Mortgage Participation Certificate No. 50, Series No. 51141-T together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Calista Marie Pabst, also known as Calista M. Pabst, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 15, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-314; Filed, Jan. 9, 1948; 8:46 a. m.]

[Vesting Order 10368]

WILHELM BAUER

In re: Bank account owned by Wilhelm Bauer. F-28-9201-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Wilhelm Bauer, whose last known address is Augsburg, Maxstr. 83, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Wilhelm Bauer, by First National Bank of Chicago, Chicago 90, Illinois, arising out of a Savings Account, account number 1,350,281, entitled Wilhelm Bauer, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made, and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 19, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-315; Filed, Jan. 9, 1948; 8:46 a. m.]

[Vesting Order 10372]

TATSUSHIRO CHIBA

In re: Bank account owned by Tatsushiro Chiba. F-39-1459-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Tatsushiro Chiba, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the property described as follows: That certain debt or other obligation owing to Tatsushiro Chiba by The United States National Bank, San Diego, California, arising out of a savings account number 10918, entitled Tatsushiro Chiba, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 19, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-316; Filed, Jan. 9, 1948; 8:46 a. m.]

[Vesting Order 10376]

EMMA FRANZ

In re: Bank accounts owned by Emma Franz, also known as Emmy Franz. F-28-28325-E-1, F-28-28325-E-2.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Emma Franz, also known as Emmy Franz, whose last known address is 11 Knoebelstr., Muenchen 22, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. That certain debt or other obligation owing to Emma Franz, also known as Emmy Franz, by Flatbush Savings Bank, 1045 Flatbush Avenue, Brooklyn, New York, arising out of a Savings Account, account number 137433, entitled Emma Franz, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to Emma Franz, also known as Emmy Franz, by The Bowery Savings Bank, 110 E. 42d Street, New York, N. Y., arising out of a Savings Account, account number 281,201, entitled Emma Franz, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 19, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-317; Filed, Jan. 9, 1948; 8:47 a. m.]

[Vesting Order 10384]

KENJI ITANORI

In re: Bank account owned by Kenji Itanori. F-39-1426-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kenji Itanori, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the property described as follows: That certain debt or other obligation owing to Kenji Itanori by The United States National Bank, San Diego, California, arising out of a savings account number 3762; entitled Kenji Itanori, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 19, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-319; Filed, Jan. 9, 1948; 8:47 a. m.]

[Vesting Order 10380]

SUGI HAMANO

In re: Bank account owned by Sugi Hamano. D-39-15079-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Sugi Hamano, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the property described as follows: That certain debt or other obligation owing to Sugi Hamano, by Security-First National Bank of Los Angeles, Sixth and Spring Streets, Los Angeles 54, California, arising out of a savings account, account number 385703, entitled Sugi Hamano or G. S. Hamano, maintained at the branch office of the aforesaid bank located at 110 South Spring Street, Los Angeles, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 19, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-318; Filed, Jan. 9, 1948; 8:47 a. m.]

[Vesting Order 10390]

HERMAN MARTIN

In re: Bank account owned by Herman Martin. D-28-1736-A-1, D-28-1736-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Herman Martin, whose last known address is Hantzsch Str. 7, Dresden A27, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Herman Martin, by The Johnstown Bank, Johnstown, New York, arising out of an Interest Account, account number 10356, entitled Herman Martin, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 19, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-320; Filed, Jan. 9, 1948; 8:47 a. m.]

[Vesting Order 10392]

KAMEO MATSUKAWA

In re: Bank account owned by Kameo Matsukawa. F-39-1775-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kameo Matsukawa, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the property described as follows: That certain debt or other obligation owing to Kameo Matsukawa by United States National Bank, San Diego, California, arising out of a savings account number 10525; entitled Kameo Matsukawa by T. Abe, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 19, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-321; Filed, Jan. 9, 1948; 8:47 a. m.]

[Vesting Order 10393]

VICTOR AND WALTER MINOPRIO

In re: Debt owing to Victor Minoprio and Walter Minoprio. F-28-28603-G-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Victor Minoprio, whose last known address is Roonstrasse 8, Rudolstadt, Germany, and Walter Minoprio, whose last known address is Nassauische Strasse 54-55, Berlin-Wilmersdorf, Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation owing to Victor Minoprio and Walter Minoprio by St. Luke's Hospital, New York, New York, in the amount of $221.13, as of September 25, 1947, together with any and all accruals thereto, presently held by Central Hanover Bank and Trust Company, 70 Broadway, New York 15, New York, as Assistant Treasurer for said St. Luke's Hospital, Trustee, which arises out of and under that certain trust agreement executed January 26, 1907, by and between the aforesaid St. Luke's Hospital, George H. F Schraeder and Emily Minoprio, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 19, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

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